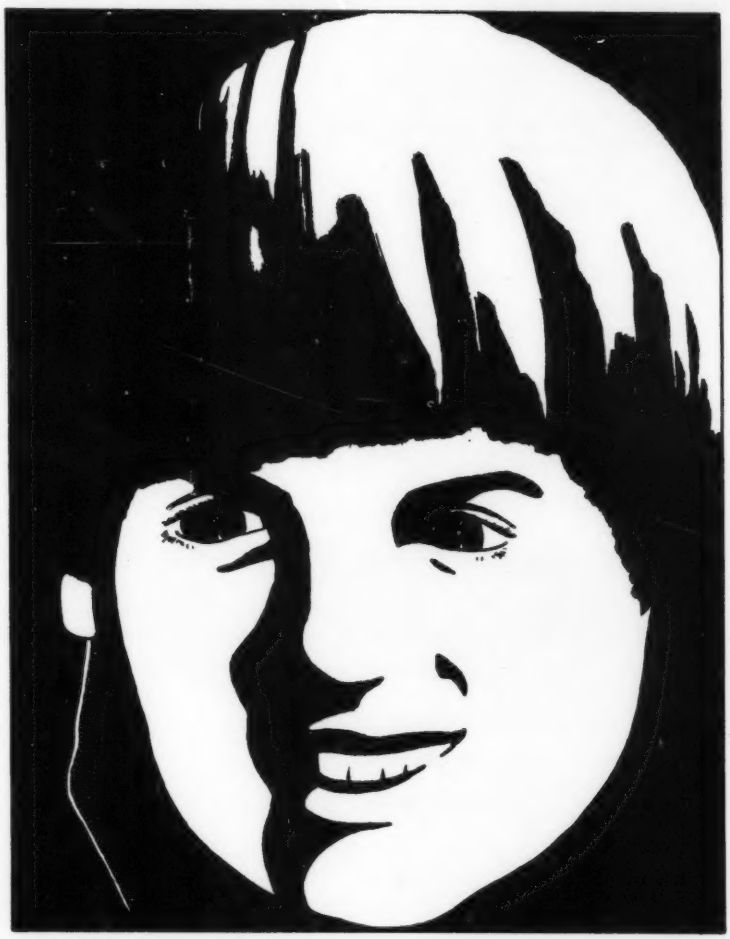
"Bureau" Memorandum

Wisconsin Department of Public Instruction / Barbara Thompson, Ph.D., State Superintendent

Volume 19, Number 4, 1978



DIVISION FOR HANDICAPPED CHILDREN

Victor J. Contrucci, Administration and Assistant Superintendent
Kenneth R. Blessing, Ph.D., Director, Bureau for Exceptional Children
Horace K. Tenney, III, M.D., Director, Bureau for Crippled Children

Coeditors-William Ernst and Patricia McMahan

Guest Editor-Stephanie Petska is an education services assistant for the Division for Handicapped Children. In this capacity, she functions as a member of the program audit team, acts as a liaison for education for Section 504, and additionally provides assistance to the director of the Bureau for Exceptional Children and to the division administrator. The guest articles in this issue deal with the relationship between the legislature and the Department of Public Instruction, the site review process, and includes three parts of the DHC report to the Federal Eastern District Court of Wisconsin.

Guidelines for Authors

The *Bureau Memorandum* invites manuscripts directed to the common interests of special education personnel in schools. Especially welcome is stimulating writing dealing with (1) discussions of current professional and special education related materials; (2) descriptions of new techniques of innovative practices and programs; (3) research reports of interest and significance to readers. Dialogues, poems, and brief descriptions of new practices and programs will also be considered.

Manuscript Preparation

Manuscripts to be considered for publication in any issue of the *Bureau Memorandum* should:

- be submitted in duplicate (original and one clear copy)
- be typewritten (pica style) , double spaced. All references, footnotes, and direct quotations should be checked carefully for accuracy.
- be accompanied by a complete identification of all authors. Include title and position, present location, and mailing address of each author.
- if appropriate, include black and white photos that have good light and dark contrast and that are at least 3" x 5."
- manuscripts should average about 1,500 words—approximately six double-spaced typewritten pages.

Manuscript Submission

- send manuscripts to Editors, *Bureau Memorandum,* Division for Handicapped Children, 126 Langdon Street, Madison, Wisconsin 53702.
- acknowledgement of receipt of a manuscript and notification concerning its disposition will be sent to the main author within 3 weeks of arrival. Additional time will elapse between acceptance of the article and its appearance in print.

The *Bureau Memorandum* is abstracted and indexed in the *Current Index to Journals in Education.*

The *Bureau Memorandum* is published by the Wisconsin Department of Public Instruction, Division for Handicapped Children, 126 Langdon Street, Madison, Wisconsin 53702. It is issued four times a year to special education teachers and administrators, nurses working directly with the Bureau for Crippled Children, and trainers of special education teachers.

TABLE OF CONTENTS

VOLUME 19, NUMBER 4

Continuing Progress Report No. 2 on Subchapter IV of Chapter 115 Implementation

Kenneth R. Blessing 2

Prevalence of EEN Children: Statewide Progress

Kenneth R. Blessing 3

Wisconsin's Child Find Activities

John Stadtmueller 9

Long-Range Planning

Victor J. Contrucci 10

Legal Opinion Regarding 504 Regulations

Mary Brooks Fraser 13

DHC Site Review - Viewpoint from a Local Educational Agency

George P. Longo and Kenneth S. Hobbs 15

The Legislature's Role in Handicapped Education

Richard A. Flintrop 18

Tips on the DHC Site Review Process

Kenneth S. Hobbs 21

Profile - Alverna Robinson 22

Federal Programs-Impact - Statewide Comprehensive Preservice and Inservice Training Program

John H. Stadtmueller 23

Council on Exceptional Education 26

The New Copyright Law: Problems and Procedures for Libraries/Media Centers

Ralph Whiting 28

Index to *Bureau Memorandum*, Volume 19, 1977-1978 29

Continuing Progress Report No. 3
on Subchapter IV of Chapter 115 Implementation

By Kenneth R. Biessing, Ph.D.
Director
Bureau for Exceptional Children

In its decision and order dated November 21, 1977 relating to Panitch vs. the State of Wisconsin, Barbara Thompson, state superintendent of public instruction, et. al, the court ordered the defendant state superintendent to:

> ". . . submit a report to the court by January 16, 1978 detailing (1) the incidence of children with exceptional educational needs; (2) the extent of compliance with subchapter IV, both statewide and by individually named school districts, in terms of identification, placement, and programming; and (3) an updated report on the on-site and data review process of the division for handicapped children."

We have reproduced for your information three portions of this report. The report attempts to conform with the instructions contained in the foregoing decision and to document progress made by the state educational agency (SEA) and local school districts in providing the plaintiff class appropriate education at public expense as required by state statutes, Public Law (PL) 94-142 and the equal protection clause of the Fourteenth Amendment to the US Constitution. We further submit that the state superintendent, the state Department of Public Instruction (DPI), and staff in the Division for Handicapped Children (DHC) have worked diligently during the past 4½ years to implement statewide the mandates of Subchapter IV, Chapter 115. We have previously indicated to the court the efforts of the Department of Public Instruction to achieve compliance with Chapter 115.

Prevalence and Incidence—An area of continuing concern to the state educational agency (SEA) is the issue relating to reporting incidence rates of exceptional educational needs (EEN) conditions and percentages of incidence served within the state. This issue relates to the specific definitions of "incidence" vs. "prevalence" of EEN conditions and is a problem all states are encountering in reporting progress under PL 94-142 to the Congress and to the US Office of Education (USOE). Previous progress reports to the Eastern District Federal Court have utilized cumulative incidence figures of the Bureau for the Education of the Handicapped (BEH), US Office of Education. However, John W. Melcher, former division administrator, indicated in his deposition statement dated October 14, 1977, that it was his best estimate that *between 7.5% and 8.5%* rather than 10.7% was the more appropriate prevalence range of children in the general school population with current handicapping conditions requiring special education programs/services at any point in time. Victor Contrucci, current division administrator, in his affidavit also dated October 14, 1977, indicated that the Division for Handicapped Children was utilizing an incidence figure of 10.7% of the general school population for budgetary planning purposes. Documentation of a lower point-in-time prevalence rate would significantly affect subsequent reports of statewide progress in implementation of Chapter 115.

"Prevalence of EEN Children: Statewide Progress" responds to the court's requirement to detail and specify the incidence of children with exceptional educational needs. We will define the terms "incidence" and "prevalence" and through submission of research study data document that a larger percentage of EEN children than heretofore reported have been identified, assessed, and placed in appropriate special education programs and services.

"Wisconsin Child Find Activities" details the more aggressive search-and-find efforts initiated by the state educational agency and conducted by each individual school district to seek out and identify children with exceptional educational needs. This comprehensive activity required by PL 94-142 is known in Wisconsin as Child Find and is a contrast to previous passive attitudes and practices of waiting until school personnel, parents, and other agencies referred suspected handicapped children to the local schools for service.

"Long-Range Planning" details the concerns addressed by the Division for Handicapped Children in developing the planning process, clarifies the steps that will be taken to put the plan into effect, and identifies the results that will be achieved through utilization of the planning cycle.

Prevalence of EEN Children: Statewide Progress

By Kenneth R. Blessing, Ph.D.
Director
Bureau for Exceptional Children

Operational Definition of Incidence and Prevalence—In previous progress reports to the court, the Department of Public Instruction has utilized US Office of Education incidence rates to assess the extent of statewide progress in assuring that all potential exceptional children and youth were receiving appropriate special education services and programs. These incidence rates have also been used as a budgeting tool to ensure that Wisconsin would have adequate categorical aids to reimburse local districts for expenditures for exceptional education. As indicated in the division administrator's deposition statement of October 14, 1977 to the court, a 10.7% figure has previously been basically utilized to determine the number of EEN children in Wisconsin who might require exceptional education.

However, a number of recent events, definitional changes, research studies, and empirical experience with the Office of Education incidence rates, have led to the belief that these cumulative incidence rates in some EEN areas may be too high. As indicated in the introductory statement, this concept of a lower point-in-time overall prevalence rate suggests that statewide we are serving a higher percentage of potential EEN children in the overall school population than heretofore projected or reported. A former division administrator, John Melcher, in his deposition of October 14, 1977, stated that ". . . rather than 10.7%, it is our best estimate that *at any point in time,* the percentage of children in the general school population with current handicapping conditions requiring special educational programs *would be between 7.5% and 8.5% of such population."* More recent study by the Division for Handicapped Children supports this contention and will be discussed in greater detail in subsequent sections. However, before pursuing this concept, an operational definition of "incidence" and "prevalence" is indicated.

Several dictionaries and professional texts define incidence and prevalence accordingly:

> *Point-in-Time Prevalence:* is defined as the number or percent of a population being studied that is affected with a particular condition *at any given point in time,* e.g., the number of EEN children who potentially require exceptional education at any point in time.
>
> *Incidence:* (1) *End-of-year incidence* is defined as a rate, range, or amount of occurrence, e.g., the total number of EEN children who have been identified and served *in any one school year.* (2) *Cumulative incidence* is defined as a rate, range, or amount of occurrence, e.g., the total number of children with EEN identified and served during the time they attend school, e.g., present 3 year olds to their being 21 years of age.

This report is utilizing point-in-time prevalence to document statewide progress in identifying, assessing, and placing EEN children in appropriate special education programs. All local educational agencies (LEA) must report the numbers of EEN enrolled each year on October 1 under the headcount requirements of PL 94-142; therefore, the Department of Public Instruction is basically utilizing this enrollment data[1] to compare the revised estimate of point-in-time prevalence rates with the numbers of EEN served and the number of EEN *actually identified* with the actual number of EEN *served.* Further experience with Wisconsin's prevalence estimates will enable us to modify these point-in-time prevalence rates accordingly.

Comparison of US Office of Education Incidence Rates with Wisconsin's Findings—By August 15 every year, each school district is statutorily required to report to the state educational agency its local needs assessment pursuant to s. 115.85 (3), Wis. Stats. This report is referred to as the School District Plan, Part A: Exceptional Needs Assessment. Computerization of these 436 local district reports was accomplished for the first time in the fall of 1977. With this aggregate data available, the DPI was able to conduct a research study on point-in-time prevalence rates for each handicapping condition for each district. More importantly, utilizing 34 districts with recognized comprehensive services for exceptional children, the department compiled actual point-in-time prevalence rates for each handicapping condition in these sampled LEAs.

Table 1 compares US Office of Education incidence rates with the Wisconsin point-in-time prevalence rates achieved through this sampling study. It should be stressed that the LEA included in this study were perceived at that point in time by the department as representatives of LEA with a full continuum of program and service alternatives. These districts included:

---

[1] October 1, 1977 headcount data have been supplemented by more recent February 1, 1978 enrollment data to make this report more current.

Table 1—Comparison of US Office of Education incidence rates with Wisconsin prevalence.

Handicapping Condition	USOE Incidence Rate	K-12 Pop. = 917,873	Wisconsin Point-in-Time Prevalence Rate (34 LEA)	Wisconsin Point-in-Time Prevalence Rate (5 LEA)
	A		B	C
MR - Mentally Retarded	2.30%		1.85%	1.80%
LD - Learning Disabilities	2.00%		1.68%	2.14%
ED - Emotionally Disturbed	2.00%		.83%	.85%
V - Vision	.06%		.07%	.078%
H - Hearing	.11%		.18%	.20%
S/L - Speech/Language	3.50%		2.69%	2.94%
PH/OHI - Physically Handi/Other Health Impaired	.50%		.29%	.27%
TOTAL	10.47%		7.59%	8.28%
SAM - School-Age Mothers (12-20)	1.00%	(DPI est.)	1.08%	.16%
EC - Early Childhood (3-4 yr. olds)	5.00%	(DPI est.)	1.23%	1.60%

Antigo
Appleton
Baraboo
Beloit
Chippewa Falls
Cudahy
Eau Claire
Elroy-Kendall-Wilton
Fond du Lac
Green Bay
Janesville
Kaukauna
Kenosha
LaCrosse
Madison
Menasha
Merrill
Milwaukee
Neenah
Oshkosh
Racine
Reedsburg
Sauk Prairie
Sheboygan
Stevens Point
Stoughton
Superior
Tomah
Watertown
Wausau
Wauwatosa
West Allis
West Bend
Wisconsin Rapids

Comparisons of USOE and Wisconsin rates in Columns A and B suggest an overall difference of 2.88 percentage points, i.e., 10.47 - 7.59 = 2.88%. It should also be understood that a number of these sampled districts represent urban centers where nonresident children are accepted from other districts. Thus, any error estimate is on the side of a greater prevalence rate than a lower one.

School-age mothers is not a recognized EEN program under federal PL 94-142 but it is a mandated program under Chapter 115. Lacking base data at the initiation of Chapter 115, the department estimated 1% of the ages 12 through 20 female population as potentially falling in this category. Sampling data attests to the accuracy of this original projection with a 1.08% rate indicated in the sampling study. On the other hand, the department's original 1973 projection of 5% of the 3 to 4 year-old population requiring early childhood services appears overestimated with but 1.23% being indicated in the sampling study.

To further illustrate the difficulty of determining point-in-time prevalence rates in Wisconsin, the department checked the prevalence rates of five school districts which appear to have done an outstanding job of identifying, assessing, and providing an extensive range of services for their EEN populations; Madison, D. C. Everest, Green Bay, Stevens Point, and Racine. Their overall percentages of K-12 population served in special education ranged from a low of 7.4% closely paralleling the previous study, to a high of 11.8% with a mean of 8.28%. The individual point-in-time prevalence rates for each EEN condition are shown in Table 1, Column C. Again it must be reiterated that these population centers accept a number of nonresident pupils; Green Bay, for example, serving as a center for low incidence handicapping conditions. This factor can account for certain higher prevalence rates than in the larger sampling of 34 districts in Column B.

Nonetheless, comparisons of Wisconsin's study of point-in-time prevalence rates with the US Office of Education's calls for a consideration of several significant differences, factors responsible for these differences, and suggests the need for reporting statewide progress in terms of more recent prevalence findings.

1. Definitional Considerations—US Office of Education incidence rates which Wisconsin has utilized to date are based on "best estimate" studies conducted by that agency in the late 50s. They represent the best-educated estimates of a group of professionals called to Washington, D.C., to project national incidence rates at that time. These incidence rates are based on the definitions of handicapping conditions in vogue in that period.

However, PL 94-142 uses several more current professional definitions of handicapping conditions and Wisconsin has followed a similar practice. The definition of mental retardation is a case in point and is a clear illustration of a definitional change affecting the projected prevalence or incidence rate of that specific condition.

Chapter 115 rules and PL 94-142 utilize the 1973 definition of mental retardation developed by the American Association on Mental Deficiency, the recognized national professional organization in this area. This definition is more restrictive than an earlier definition in that it requires extreme caution on the part of multidisciplinary teams (M-team) in referring retarded children in the 70-84 I.Q. range (1 to 2 standard deviations below the mean) to special education programs. While the Chapter 115 rules do not prohibit children who test between -1 and -2 standard deviations, i.e., borderline intelligence, from being served in special education, they are now placed on a more restricted and selective basis. Thus, the factor of definitional change is a variable affecting and lowering the point-in-time prevalence rate. This factor is probably one of the reasons for the decrease in the prevalence rate from 2.3% to 1.85% in Table 1.

2. Research Findings in Speech Therapy—A number of research studies involving speech therapy intervention with children with *mild* articulatory problems have demonstrated no significant gains in those subjects provided treatment when contrasted with those children who received no treatment in their early years. It appears that minor articulation problems disappear by grades three/four as children mature developmentally. Because of these findings, the DHC has placed strong emphasis on the need for district speech clinicians to serve the more severely impaired in speech and language. In addition, Chapter 115 requires an individual child to receive the appropriate amount of speech therapy needed, thus increasing the extent and time required for many individual speech cases.

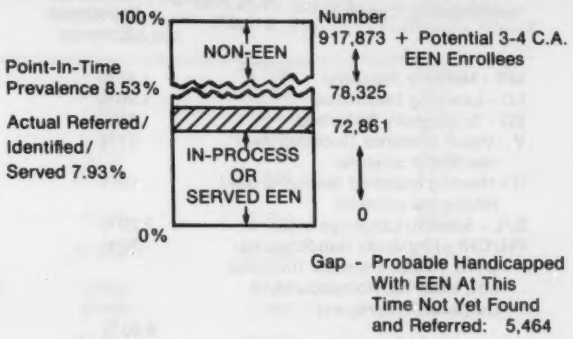
This emphasis on the more severely impaired and upon the individualized needs of children is a major factor in the reduced point-in-time prevalence rate for speech impairment shown in Table 1, Column B. We suspect that a more accurate prevalence rate for Wisconsin, therefore, is between 2.7 and 2.9%.

It should also be stressed that current PL 94-142 rules do not permit inclusion in the headcount of children receiving speech services who are already counted as receiving services in other EEN programs. Only children in regular grades who are receiving speech services may be counted. Yet the original Office of Education incidence figure for speech impaired was 3.5% and certainly included all children with speech and language problems regardless of their enrollment in special or regular education. No state could match this 3.5% incidence figure in the PL 94-142 headcount under current regulations and this factor must be considered whether we are considering point-in-time prevalence or end-of-year incidence rates.

3. Long-term vs. Short-term Enrollments in Special Education—Another factor reflected in the Wisconsin prevalence studies relates to long-term enrollments of certain types of EEN conditions vs. shorter-term or repeated reenrollments in other EEN areas. Many students in certain EEN programs, e.g., the emotionally disturbed, speech impaired, school-age mothers, and special learning disabilities receive academic/behavioral intervention and after a short

TABLE 2—Graphic depiction of prevalence and incidence concepts.*

TABLE 2-A—Point-in-time prevalence of EEN in Wisconsin 1978.



Incidence for Wisconsin

TABLE 2-B—End of year incidence.

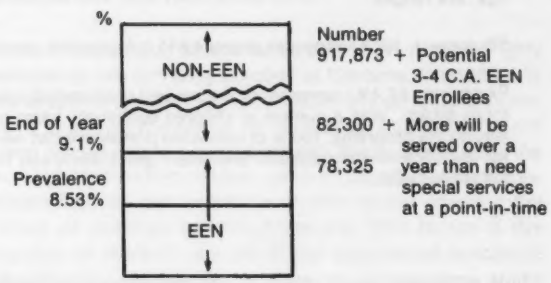
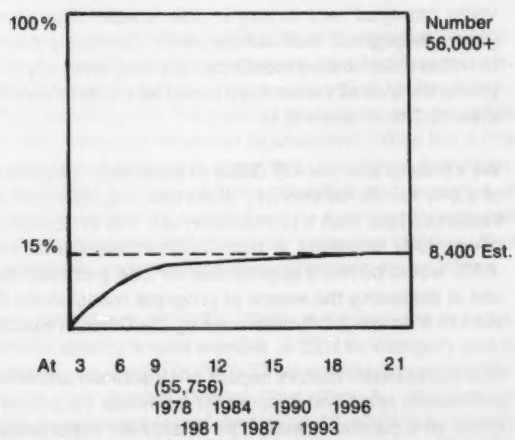


TABLE 2-C—Cumulative incidence 1978-1996 for present 3-year olds.



* Graphic depictions developed by Victor Contrucci, Division Administrator.

Table 3—Up-date—Percent of incidence (prevalence) served by category in 1977-78 (February 1, 1978).

Handicapping Condition	K-12 Pop. = 917,873	Wisconsin Prevalence Estimate	Projected Prevalence Public School Enrollment	Number Enrolled 2/1/78	Percent of Point-in-Time Prevalence Served
MR - Mentally Retarded		1.85%	16,980	15,374	90.5%
LD - Learning Disabilities		1.90%	17,440	16,475[a]	94.5%
ED - Emotionally Disturbed		.83%	7,618	5,455[a]	71.6%
V - Vision Impaired (includes day/residential schools)		.07%	643	416	64.7%
H - Hearing Impaired (includes day/residential schools)		.18%	1,652	1,043	63.1%
S/L - Speech/Language Impaired		2.70%	24,782	21,744	87.7%
PH/OHI - Physically Handicapped/Other Health Impaired (includes MH, Hospital, Homebound, & Outpatient Therapies)		.50%	4,590	2,263	49.3%
		8.03%	73,705	62,770	85.2%
SAM - School-Age Mothers (ages 12-20) (includes homebound for SAM)		1.08%	2,580	2,223[a]	86.2%
EC - Early Childhood Generic (ages 3-4)		1,70%	2,040	1,915[c]	93.9%
		(8.53%)[b]	78,325	66,908[d]	85.4%[d]

[a]P.L. 94-142 headcount. Remainder Feb. 1 enrollment counts.

[b]8.53% represents K-12 prevalence estimate (8.03%) *plus* pro-rata portion of SAM and EC groups, since the latter represents restricted age/sex ranges.

[c]October 1, 1977 headcount shows 4,511 3-5 year olds served. 2,596 are included in empiric EEN programs.

[d]Add to the 85.4%, representing the percent of estimated prevalence served, a 1.5% parental refusal factor for assessment/placement. This totals 86.9%. With a number of children continually being in the transitional process of identification/assessment/placement, as well as leaving the programs, 100% of estimated prevalence can never be reached. Data from the Annual Needs Assessment report indicates that the identification/assessment/ placement group alone may be represented by a factor of 6.1%. Therefore, 93-95% may be a more realistic full service goal.

time or several years return to the mainstream of general education. This is particularly true with school-age pregnancies and speech correction. Others like the emotionally disturbed may be reenrolled in special education several times during their school career. On the other hand, children in programs for the mentally retarded, hearing, and vision impaired tend to stay in their special education programs throughout their school years. Obviously if we were to utilize a cumulative incidence rate over time, e.g., 3 to 21 years, the overall percentage would be considerably higher than 10.7% or even 12%.

We contend that the US Office of Education incidence rate of 2.0% for the emotionally disturbed, e.g., is a cumulative incidence rate than a prevalence rate. The Wisconsin sampling study suggests a point-in-time prevalence rate of .85% would be more appropriate for LEA and state agency use in assessing the extent of progress made under Chapter 115 than the 2.0% rate used by the Office of Education.

The above major factors impact on Wisconsin point-in-time prevalence rates and account for the major variations from Office of Education rates. The Wisconsin experience was shared by other states last year as their October 1 and February 1 headcounts under PL 94-142 fell far short of national incidence projections. Using these prevalence rates and the October 1, 1977 headcounts required under PL 94-142, we intend to report current statewide progress in serving the estimated prevalence of EEN conditions in the preschool and K-12 population and the actual numbers of children identified as EEN served.

It should be clearly understood that the state superintendent of public instruction has issued an announcement to the field that, regardless of projected prevalence rates used by the state or in PL 94-142, Wisconsin will serve all children appropriately identified and assessed as children with exceptional needs. *These prevalence rates are only averages* and will reflect some variance from district to district because of any number of intervening variables. Both prevalence and incidence percentages will vary from district to district because of many demographic factors including socio-economic, cultural, urbanness vs. ruralness and others. If an operating district functions as a referral center for nonresident low prevalence EEN populations, the very nature of this function will tend to increase the prevalence figure in that community. Implementation of this state policy will require continuing reassessments of point-in-time prevalence rates, but should not deter the delivery of appropriate EEN services to children in need.

Table 4—Percent of incidence served by category in 1976-77.

Handicapping Condition	Projected Prevalence Public School Enrollment K-12=945,022	Number Served 1976-77 (as of 8/15/77)	Percent of Projected Prevalence Served
MR - Mentally Retarded	17,761	16,537	93%
LD - Learning Disabilities	18,241	16,458	90%
ED - Emotionally Disturbed	7,769	5,530	69%
V - Vision Impaired (includes day/residential schools)	672	454	67%
H - Hearing Impaired (includes day/residential schools)	1,728	1,134	66%
S/L - Speech/Language-Impaired	25,922	23,889	92%
PH/OHI - Physically Handi./Other Health Imp. (includes MH, Hospital, Homebound & Outpatient Therapies) [a]	4,800	3,264	68%
TOTALS	77,093	67,266	87.2%
SAM - School-Age Mothers (ages 12-20) (includes homebound for SAM)	2,592	1,651	64%
EC - Early Childhood (ages 3-4)	2,040	1,990	97.5%
	81,725	70,907	86.8% *

[a]Hospital homebound and therapy data are estimates from 1976-77 Needs Assessment Plan, Part A.

Graphic depictions of the differences between point-in-time prevalence, end-of-year incidence and cumulative incidence are shown in Table 2. Our sampling data suggests an estimated point-in-time prevalence of 8.53% in Table 2-A, an estimated 9.1% end-of-year incidence rate in 2-B, and a potential of 15% or greater for a group of 3 year olds followed through to age 21 in 2-C. Table 2-A further estimates that Wisconsin's schools are reaching and serving approximately 7.93% of the potential point-in-time prevalence. A gap of approximately 5,464 children with probable EEN are still to be identified, assessed, and served at this time.

Statewide Progress in Serving Estimated Prevalence and Identified EENs in 1977-78—The previous detailed discussion of the problems with incidence and prevalence estimates, comparisons of Office of Education's and Wisconsin's rates, and the variables affecting changes in incidence rates were necessary to set the stage for a report on statewide progress in school year 1977-78. Unless these factors are understood and taken into consideration, the current findings are subject to misinterpretations and misunderstandings. We submit that statewide progress has been more significant than previously reported. This progress, coupled with state agency efforts in monitoring local efforts through site review visits and program audits and through internal data review, will lead to the full service goal.

Table 3 displays the state educational agency's revised point-in-time prevalence rates, EEN enrollments reported as of February 1, 1978, and the percentage of the prevalence estimate served by handicapping condition and in the aggregate for the K-12 population. The overall aggregate percent of prevalence shown is based on a duplicative count of EEN served, since many of these pupils receive the benefits of several programs or interventions. Both previous Office of Education incidence rates and readjusted Wisconsin prevalence rates utilize a duplicate count of EEN served by handicapped category and treatment services delivered so there is no change in procedure herein.

Table 3 utilized the Wisconsin prevalence figure of 8.53%. This suggests that 85.4% of the potential EEN population of 78,325 in Wisconsin are actually enrolled at this time. However, several additional factors are highlighted in Table 3 footnote and bear reiteration here.

Table 3 shows that 85.4% or 66,908 of the potential EEN population are currently enrolled at this time. In addition to the students enrolled, an additional 1.5% or 1,175 children have been recommended for EEN programs but have not been placed due to parental refusal. These would bring the number of identified children up to 68,083. Our statistics indicate that we can anticipate another factor affecting the count of children identified/served. This factor is the number of children who are in the *transitional process* of identification/assessment/placement. At the time of the last reporting by the districts, this was 4,778 or 6.1% of the projected prevalence figure of 78,325. The total figure of students served, parent refusals and pupils in transition is 72,861 of the projected prevalence which represents 7.93% of the total public school enrollment.

Therefore, approximately 5,464 EEN of the projected prevalence of 78,325, or 7%, remain to be identified and referred (Tables 2 and 3). This group added to the transitional population of 4,778 gives us the estimated population of 10,242 previously reported as unserved. While the 4,778 are considered unserved since they are still in transition, they are in the process of being identified and assessed at any point in time. This number will be significantly reduced as districts increase their efficiency in serving children. This is particularly true as Milwaukee eliminates its backlog.

Summary Data for 1976-77—Table 4 displays the state educational agency's total number of EEN by category and in the aggregate served in 1976-77 as reported by all 436 districts in their School District Plan, Part A - Exceptional Needs Assessment report on August 15, 1977. It further indicates the percent of projected prevalence served by category and in the aggregate.

TABLE 5—Totals and percent of identified exceptional children served in 1976-77.

Handicapping Condition	Actual Identified EENs on 8/15/77	Identified EENs served in 1976-77 (incl. homebound)	% of Identified EENs Served in 1976-77
MR - Mentally Retarded	16,781	16,556	98.1%
LD - Learning Disabilities	17,987	16,465	91.5%
ED - Emotionally Disturbed	6,198	5,596	90.3%
V - Vision Impaired (includes day/residential schools)	476	455	95.5%
H - Hearing Impaired (includes day/residential schools)	1,166	1,135	97.3%
S/L - Speech/Language Impaired	24,647	23,892	96.9%
PH/OHI - Physically Handi./Other Health Impaired (includes MH, Hospital, Homebound & Outpatient Therapies) [a]	2,172	2,097	96.5%
SAM - School-Age Mothers (ages 12-20) (includes homebound for SAM)	1,718	1,651	91%
EC - Early Childhood (ages 3-4)	2,185	1,990	96.1%
TOTALS	73,420	69,837	95.1% *

[a]Hospital, homebound and therapy data are estimates from 1976-77 Needs Assessment Plan, Part A. All other enrollments are from the PL 94-142 headcount of 10/1/77.

Consideration of this table again highlights the issue of point-in-time prevalence estimates when contrasted with actual numbers and percentages of EEN served over the school year 1976-77.

The reader will note an 86.8% of the estimated potential served at the close of the 1976-77 school year. This reflects the end-of-year cumulative incidence enrollment of EEN pupils discussed earlier. A slightly higher percent of the K-12 population was served, i.e., 87.2%.

Further summary data from the Exceptio.al Needs Assessment, Part A, for 1976-77 indicates:

a. 928 parents refusing M-team evaluations.

b. 722 additional parents refusing placements after M-team evaluations. Assuming 61.4% of the 928 refusals for M-team evaluations would have resulted in 570 additional identified EEN, enrollment in 1976-77 could have reached the following total:

70,907	EEN actually enrolled
570	EEN potential from 928 referrals
+ 722	parent refusals for program placement
72,199	or 88.3% of incidence

In summary, aggregate statewide statistics utilizing Wisconsin point-in-time prevalence estimates suggest that Wisconsin is currently serving somewhere in the range of:

85.2% to 87.2%	of potential prevalence and end-of-year incidence
+1.5% + 1.5%	parent refusal factor
86.7% to 88.7%	

It seems only reasonable to include the parent refusal factor since the districts offered EEN services to some 722 and an additional 570 would likely have been found EEN had a multidisciplinary assessment been permitted. Based on the 1976-77 term enrollment factors, it is more than likely that a 90% end-of-year incidence figure will be achieved by the close of the current school year.

Table 5 is one further indication of the extent of statewide compliance and evidence that the great majority of school districts are responding to identified needs of EEN children by providing programs/services when identification has occurred. Note that of the 73,420 EEN cases actually identified over the 1976-77 school year, 95.1% were the recipients of special education services. In the majority of categories, that overall percentage is exceeded with some areas approaching 100%. Only the emotionally disturbed, school-age mothers, and learning disability categories fall below the 95.1% average. The reader is reminded of the 1.5% parental refusal factor previously considered. Had this segment of parents approved of assessment and/or placement, the 95.1% would have increased to 96.6%. We are planning a more intensive study to determine the specifics of why identified EEN children are not reported as served.

Summary—We contend that the defendant Department of Public Instruction through its consultation, regulatory, and monitoring process is closing the gap between unidentified and identified children at a rate consistent with the complete compliance requirements set by the court in its November 29, 1977 Decision and Order.

Further, that through its constant monitoring and regulatory processes referred to in this response and in previous reports, the DPI is able to monitor and regulate the school districts of the state in their finding, referring, evaluating, and appropriately placing children with EEN.

The defendant state superintendent is, therefore, requesting that the monitoring and regulatory processes now in place and operating be allowed to continue to operate in compliance with Chapter 115 and that the plaintiffs' motion for the appointment of a special master be denied.[1]

---

[1] Subsequent to the submission of this report, the US District Federal Court of the Eastern District of Wisconsin ordered on April 18, 1978 that the plaintiff's motion for the appointment of a special master be denied.

Wisconsin's Child Find Activities

By John Stadtmueller
Federal Programs Section Chief
Administrator, Title VI, EHA

In fulfilling the requirements of Section 121a.128 of the rules and regulations for PL 94-142 as well as Section 84.32 of the regulations for Section 504 of the Rehabilitation Act of 1973, Wisconsin has undertaken two rather definite directions which dovetail into a comprehensive approach to what is known in Wisconsin as Child Find. It should be noted that under Chapter 115, children are screened and referred and the process of working through the multidisciplinary team takes place after there is a strong indication that a child may have exceptional educational needs. There is no requirement under Chapter 115 to indicate that Wisconsin must actively seek out handicapped children. The federal law, however, as per the above designations, requires active Child Find procedures.

These two directions include a statewide state education agency operated project—Child Identification—and an organized local education agency approach to carrying out Child Find activities in the field. While the objectives of both of these approaches are very similar, there are some minor differences in directional activities.

In the statewide SEA—Child Identification project, emphasis is placed on public awareness, development, and coordination of local Child Find activities, data management of information gained from Child Find activities, and a high risk liaison approach to working with high risk centers, attempting to find possible handicapped children at the infant level which enables prevention in some cases.

In the LEA level projects, emphasis is placed on a public awareness campaign, door-to-door canvassing through the use of volunteers, and development of working relationships with other agencies and organizations who have similar missions for identifying and working with young handicapped children. In addition, some LEA set up procedures for handling data gathered on children in a computerized fashion.

The SEA Child Identification project started in July 1976, and after some exploration centered on the development of a public awareness campaign working through the O'Neill and Associates of New York and Miami. This campaign resulted in radio and TV spots as well as a considerable amount of printed material. Much of this approach is not too different than the nationally-sponsored Closer Look campaign for public awareness. The material developed from this public awareness campaign through the SEA project was, in turn, the basis for public awareness campaigns at the LEA Child Find level. Through November 1977, this has resulted in dissemination of 191,230 printed documents; 14,046 local radio spots; 97 30-second TV spots; and over 200 newspaper articles written on the subject of Child Find. In addition, public awareness activities in the form of public presentations numbered over 20 from the SEA level and over 80 at the LEA level.

As another element in the SEA—Child Identification project, encouragement was given to local school districts, county handicapped children's education boards (CHCEB), cooperative educational service agencies (CESA), etc., to write for a federally-sponsored project to help carry out local activities. This has resulted in the development of 45 locally-operated Child Find projects which were funded at near the 100% level through the use of Title VI-B, Education of the Handicapped Act, funds.

In March 1977, some initial LEA projects were developed and this procedure led to the present operational level (as of 12/30/77), of 45 LEA federally-sponsored Child Find projects which include 422 of the 436 school districts in Wisconsin. It should be noted at this point that the remaining 14 school districts are not without Child Find activities. The federal regulations call for Child Find activities but do not necessarily indicate that all districts must be in federally-sponsored Child Find projects. Consequently, the following school districts have elected to carry on Child Find activities through their own efforts without federal funds. It is believed that the Child Find activities of these 14 districts will produce similar results in matters of finding unserved children. Of these 14 districts, there are three districts which are carrying on single-district Child Find activities and include Campbellsport, Pewaukee, and Jt. #11, Richfield, Erin.

In addition, the Racine County Handicapped Children's Board (CHCEB) is carrying on Child Find activities to cover the following districts included in their CHCEB service area of coverage: Burlington; Jt. #1, Dover; Jt. #7, Norway, Raymond; Jt. #14, Raymond; Jt. #1, Raymond, Dover, Norway; Union Grove UHS; Jt. #1, Union Grove, York; Waterford UHS; Jt. #1, Waterford, Norway; Jt. #1, Waterford, Rochester; and Jt. #2, Yorkville, Raymond, Dover.

The above would indicate that all school districts in Wisconsin are covered through Child Find activities.

Within these 45 LEA projects, there are 62 persons employed as Child Find specialists and, in addition, 4,646 volunteers have been used throughout the state in Child Find activities, much of which was door-to-door canvassing efforts.

It is believed that the Wisconsin Department of Public Instruction will spend approximately 1.5 million dollars on Child Find activities through September 30, 1978. This figure is based on actual dollars spent plus those funds obligated for currently-operating SEA and LEA projects with the project year running through September 30, 1978.

Child Find Results—As a result of Child Find activities, there have been some direct results and some indirect results/benefits:

1. As of the last aggregate count of LEA activities at the end of November, 1977, there were 947 requests for screening. Of this number, 545 requests represented children who were unserved (not in any educational program) with 402 requests made on children who were already enrolled in school programs and technically not unserved from the Child Find definition.

2. Of the 947 requests for screening, there were 588 referrals made for M-team evaluations. Of this 588, 347 were from the unserved group and 241 from the children already in school placements.

3. As a result of the M-team evaluations, there was a total of 353 children placed in special education. Of this 353, 163 were children who were already enrolled in school programs and 190 were children who were not in any educational program up to this point.

The number of children actually placed in special education as a result of Child Find activities is not a high number, but the lack of "success" in finding children who need special education is in one form a measure of success as to the strength of Wisconsin's special education programs in general.

There are several indirect results/benefits that can be documented as a result of total Child Find activities, but this type of result/benefit does not necessarily deal directly with children:

1. LEA have reported to us that the benefits of working with other agencies and organizations who have similar missions for identifying and serving handicapped children have been very rewarding as this procedure has led to a more coordinative approach to the problem of serving all handicapped children in Wisconsin.

2. In those areas where there are Child Find activities for finding children under 3 years of age, the arrangements made with other organizations and agencies have resulted in encouraging children 0-3 to be included in agencies operating such programs over and above that of public school programs. This in itself is a very positive measure as it helps delineate responsibility for service provision while at the same time helping to provide programs and services for very young handicapped children.

3. A projected benefit would suggest that the real pay-off for Child Find activities in an indirect sense is that of future relationships to be established and strengthened between public schools, nonpublic schools, and agencies and organizations such as Head Start and Developmental Disabilities Boards, etc. whose missions are to work with very young children.

All of the above activities under the SEA—Child Identification project and the locally-operated Child Find projects point out that the Wisconsin Department of Public Instruction and the local school districts are taking very aggressive steps in attempting to find children who are in need of special education and are currently not receiving special education programs or services. The Department of Public Instruction views this as a very positive leadership activity in helping to meet the mandates of providing programs and services for all of Wisconsin's handicapped children.

Long-Range Planning

By Victor J. Contrucci
Administrator
Division for Handicapped Children

The state superintendent directed Victor J. Contrucci, assistant superintendent and administrator of the Division for Handicapped Children, to present a plan of action for the health and education needs of handicapped children in Wisconsin.

As part of this charge, he was directed to develop a planning cycle consistent with the present effort of the Department of Public Instruction to clarify all of the missions and functions. His report is as follows and is consistent with the charge.

The Division for Handicapped Children has developed and is committed to a planning cycle which provides public input for setting consistent and farsighted goals, assures efficient, effective, and coordinated utilization of all resources, and results in services geared to the best interest of each child.

The objective of this planning cycle is to have a common meeting of minds for consumers, professionals, governmental units, health professionals and providers, school districts, school boards, the Department of Public Instruc-

tion, the governor's office, and the legislative branches. This should result in timely provision of appropriate services to all handicapped children in Wisconsin. Concurrent with the planning cycle, there will be continual implementation of all constitutional, legal, and administrative mandates to ensure the rights of handicapped children to a free public education.

To accomplish this task the DHC has developed the following.

Division for Handicapped Children Major Mission and Functions—To provide a basis from which to plan and to communicate with its various publics, the DHC determined its mission and functions as they relate to the primary charge of providing services to handicapped children in Wisconsin. This mission and function will be submitted for public review as part of the planning cycle. They will be modified and expanded as input dictates.

DHC Mission: to ensure that all handicapped children receive appropriate health care and publicly funded education and related services.

1. Coordinate development and operation of the statewide delivery of health and education programs/services for handicapped children, both within and between the public and private sectors.

    a. Promote statewide equal educational opportunity within the least restrictive alternative concept.

    b. Provide planning, coordination, and technical assistance in program development and service delivery.

    c. Provide a process for interchange with consumers, advisory councils, and advocacy groups.

    d. Leadership role in stimulating the development and implementation of innovative and quality programs/services for handicapped children.

    e. Promote the training and utilization of appropriately trained personnel in the evaluation, treatment, instructional, and leadership areas.

2. Facilitate and monitor LEA and other public and private agencies in the delivery of appropriate health and education programs to all handicapped children.

    a. Provide technical assistance and inservice to LEA and local health personnel.

    b. Assess, approve, and allocate funds for programs and services.

    c. Facilitate prevention, identification, assessment, and/or diagnosis, and appropriate education and health services for handicapped children.

    d. Assist families of children with handicapping conditions in obtaining appropriate services for their children.

3. Ensure compliance to all state and federal laws and rules governing the health and education of all handicapped children.

    a. Establish, maintain, and monitor standards for the delivery of appropriate programs/services to handicapped children.

    b. Ensure due process procedures.

4. Improve the organizational structure and service delivery system of the Division for Handicapped Children to best accomplish the mission and identified functions.

    a. Assign staff and financial resources consistent with the long- and short-range goals of the agency.

    b. Develop an integrated data management system to facilitate the collection, analysis, and utilization of data.

Structure for Planning—To provide the mechanism for taking the Department of Public Instruction from the stated mission and functions to developing goals and implementing plans to accomplish them, the DHC developed the following structure for planning for the spring of 1978 for the development of the 1978-79 plan.

1. Internal planning group: This group is appointed from DPI staff. The internal planning group will be responsible for coordinating all phases of the planning effort.

2. Middle management of the Division for Handicapped Children: Administrators responsible for the implementation of programs for handicapped children.

3. External working group: Appointed by the Administrator of the Division for Handicapped Children. Appointees will represent the Council on Exceptional Education, health professionals and providers, regular educators, special educators, and other agencies.

A Picture of the Future and the Planning Cycle to Reach that Future—The initial emphasis of the DHC is on development of long-range goals. Short-range goals for 1978-79 will then be developed to work toward accomplishment of the long-range goals. Long-range planning will be based upon a 4-year cycle. Short-range planning will be on a 1-year cycle.

The following is a projected picture of what statewide services should look like in 1982 based on the planned activities for the spring of 1978. It will be used as a starting point for both internal and external development of long-range goals for serving handicapped children.

As noted, two planning cycles are envisioned. It is the desire to develop a process that will allow for maximum input with clear and unified goal setting.

Projected DHC Report of July 1, 1982—During the spring of 1978 the Division for Handicapped Children embarked upon a planning, implementation, and evaluation cycle which had as two of its tenets a presentation of long-range goals to be met by July 1, 1982, and a plan to plan. This is a report of what has been accomplished in meeting those goals.

Historical Perspective—The state of Wisconsin in 1978, as was true in the past 25 years, was still a leader in the nation in the provision of health and educational services to handicapped children. A combination of leadership, financial, political, consumer advocacy, and community-awareness factors has contributed to past achievements. The advent of mandatory legislation, both state and federal, in combination with judicial actions and increased financial factors, put crushing pressure upon previously utilized means of communication, cooperation, and problem-solving behavior utilized by legislators, consumers, and local and state governmental units.

Within the educational establishment, at all levels, there was an increasing sense of frustration in attempting, under pressure, to meet seemingly contradictory goals without sufficient time and resources. The perceived lack of or ineffectiveness of methods in resolving issues and concerns was leading to morale problems in local and state staffs and consumer lack of trust with the establishment.

Many positive factors and forces were also operating at that time. There was a deep commitment on the part of the state superintendent of public instruction, the new administrator of the Division for Handicapped Children, and the DPI staff to ensure that all handicapped children receive appropriate health care and publicly funded education and related services. School boards and staffs were interested in resolving issues and could be called upon for input and cooperation. Consumer groups were seeking an opportunity for interaction with governmental units in an open and positive fashion. Both the governor's office and the legislature were committed to the full-service goal and were amenable to the continued funding of required resources. There was in place in the state a vast array of services which were effectively meeting the needs of almost all the handicapped children.

The Public Planning Process—Given the previously mentioned factors, the decision was made to embark upon a planning cycle that would bring together heretofore divergent forces to focus upon common problems. The procedures utilized in the spring of 1978, which had DPI impetus, initiated the statewide process.

Planning Activities for Developing the 1978-79 Plan

January 3, 1978 — Meeting with middle management to clarify planning process.

↓

January 6, 1978 — Meeting with DHC staff to address:
1) Mission and functions
2) Scenario
3) Structure for planning
4) Planning activity for 1978-79
5) Planning activity for 1979-80

↓

January 6, 1978 — Internal work on long- and short-range goals by DHC staff.

↓

April 15, 1978 — Draft of 1978-79 Plan

↓

PUBLIC HEARING
Consumers | Advocates
Service Personnel

↓

May 20, 1978 — STATE

↓

Working Groups

↓

Division Administration

↓ ↕

Exceptional Education Council

↓

State Superintendent

↓

July 1, 1978 — STATE LEGISLATURE AND PUBLIC

Each year after 1978 the goal was to initiate a planning process that would lead to a long-term capability to plan in conjunction with, not isolated from, both consumers and professionals.

Planning Activities for Developing the 1979-80 Plan

September 15 — Consumers Advocates Service Personnel
Local Level

↓

Four Regions

↓

December 1 — STATE

↓

DHC Administrator

↓

Exceptional Education Council—
Middle Management—
State Superintendent

↓

Staff

↓

Exceptional Education Council—
Middle Management—
State Superintendent

↓

DHC Administrator

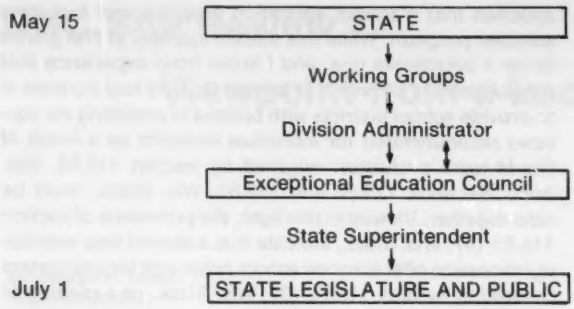
↓

March 1 — DRAFT OF 1979-80 PLAN

↓

PUBLIC HEARING
Consumers | Advocates
Service Personnel

↓



The key ingredient of the planning cycle was the continual presentation of long-range goals which formed the basis for the short-range goals present in each year's plan. Through this method, it was hoped that the priorities set and allocations of resources for the health and education of handicapped children could be seen in the perspective of time and commonly agreed upon expectancies. The presently (1982) utilized planning procedures with input from over 2,000 people are an outgrowth of those early efforts.

Goals Realized—As a result of this planning, implementation, and evaluation cycle, the following long-range goals have been accomplished at this time (July 1, 1982).

We do have a child-centered array of services in place in this state for handicapped children. Health and educational services are being provided in an interrelated fashion at the local, regional, and state levels utilizing a cluster concept. Children are being found, identified, placed, and serviced based on child need. Geographical and political influences have been minimized so that the right people are in the right place at the right time.

In place at this time is a public information, public and professional input system that guarantees an interagency communication system which results in timely action in behalf of a handicapped child and his/her family. The DPI/DHC is now viewed as a responsive governmental agency which coordinates, facilitates, and ensures appropriate services for children.

At the present time, we have in place a system for research and demonstration which yields appropriate information and data for services and program changes. This system represents a blend of local and state practitioners, university personnel and resources, and lay advisors. Staff preservice and inservice efforts reflect past knowledges and new practices that are constantly being developed and tested.

The internal operations of the DPI/DHC have progressed to the point that: cost accounting analysis is in place and allows for accurate budgeting and funds allocation; a management information system is available to assist present program efforts and is valuable for local and state planning; and an internal staff development program that offers the maximum opportunity for personal growth is operating efficiently.

Legal Opinion Regarding 504 Regulations

You have asked for a legal opinion on whether a school district would be denying a handicapped child an equal educational opportunity under Section 504 if the district operated summer school programs in the district which a handicapped child was unable to attend or participate in, without providing transportation or tuition for the child to attend a summer program that would meet the child's needs as determined through the M-team process.

Section 84.4 (a) of the regulations implementing Section 504 provides as follows:

> (a) General. No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.

Relevant discriminatory actions prohibited by the act are listed in section 84.4 (b) and are as follows:

> (b) Discriminatory actions prohibited. (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap:
>
> (i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;
>
> (ii) Afford a qualified person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;
>
> (iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;
>
> (vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

In view of these regulatory provisions, the situation described above does indicate a situation in which the handicapped child is being denied an equal educational opportunity. This conclusion is further reinforced by the provisions of section 84.33 (a) and (b):

(a) General. A recipient that operates a public elementary or secondary education program shall provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap.

(b) Appropriate education. (1) For the purpose of this subpart, the provision of an appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of nonhandicapped persons are met . . .

School districts may meet their obligations to handicapped students in these circumstances by either providing the appropriate services themselves, or by placing the handicapped person in some program other than the ones operated by the districts themselves. See section 84.33 (b) (3).

(3) A recipient may place a handicapped person in or refer such person to a program other than the one that it operates as its means of carrying out the requirements of this subpart. If so, the recipient remains responsible for ensuring that the requirements of this subpart are met with respect to any handicapped person so placed or referred.

Section 84.33 (c) requires that when the school district chooses the latter alternatives as its means of carrying out the requirements placed on it by the Act, the school district will pay for the cost of the program without cost to the student or the student's parent or guardian, except for those fees that are imposed on nonhandicapped persons or their parents or guardians. Furthermore, if a recipient places a handicapped person in or refers such person to a program not operated by the recipient as its means of carrying out the requirement, section 84.33 (c) (2) provides that:

. . . the recipient shall ensure that adequate transportation to and from the program is provided at no greater cost than would be incurred by the person or his or her parents or guardian if the person were placed in the program operated by the recipient.

Certain provisions of Wisconsin law are also relevant to this discussion. For instance, section 115.83 (4), Wis. Stats., specifies that a special education program may include a summer program. While this statute appears at first glance to be a permissive one, and I know from experience that school districts believe it to be just that, its real purpose is to provide school districts with options in providing the services recommended for individual students as a result of the M-team evaluation required by section 115.80, Wis. Stats. Sections 115.80 and 115.83, Wis. Stats., must be read together. Viewed in this light, the provisions of section 115.83 (4), Wis. Stats., indicate that a district may voluntarily choose to offer summer school programs for youngsters covered by section 115.76 (3), Wis. Stats., as a method of meeting their responsibilities toward these students. However, if the M-team has determined that a summer school program is a necessary part of a particular child's program, the district has no choice but to provide it, although they can choose whether to do it themselves or through arrangements with another agency or program.

Clearly, however, the provisions of both Sections 115.80 and 115.83 have nothing whatsoever to do with the question of whether a handicapped child must have the same chance to attend summer school as a nonhandicapped student when the district offers summer school programs for nonhandicapped students—that is strictly a Section 504 question. Section 504 clearly indicates that when the district offers summer school programs for nonhandicapped students, handicapped students must be provided with the same or equal opportunities. Therefore, when a district offers summer programs for nonhandicapped students, it makes no difference that the M-team has not recommended a summer school program for a particular handicapped student, or that the school has not voluntarily provided summer programs for handicapped students. Section 504 provides that the school cannot choose to provide programs to nonhandicapped youngsters without providing programs for their handicapped youngsters as well.

When a handicapped child attends summer school, in either the district of residence or elsewhere, the district is required to provide free transportation to the program under the provisions of Section 121.54 (3).

Mary Brooks Fraser
Assistant Legal Counsel
Department of Public Instruction
August 29, 1977

DHC Site Review -
Viewpoint from a Local Educational Agency

By George P. Longo
Superintendent
D. C. Everest Area School District

Kenneth S. Hobbs
Director of Special Education
D. C. Everest Area School District

Recent additions to Subchapter IV of Chapter 115 and the rules and regulations for Public Law (PL) 94-142 have generated new challenges to local education agencies (LEA) in implementing full service programs for children and youth with exceptional educational needs (EEN). These challenges have presented a wide-range of hurdles to overcome. One of the roles that the Department of Public Instruction (DPI) has assumed is to provide technical assistance so that the LEA might have the necessary information and advice to assist them in overcoming these hurdles. The Division for Handicapped Children (DHC) has organized its staff into four site review teams that will, within a 3-year period, visit all 436 school districts for the purpose of providing technical assistance. The actual process and review documents were piloted in the Boscobel school district during the spring of 1977. Visits to school districts began in the fall of 1977 and will continue on a regular basis.

The major focus of the activities involving the site review process centers around 16 components that are the essential parts of a special education program at the LEA level. The D. C. Everest area school district administrators found that the Special Education Program Review Guide contained much detailed information about the 16 components of the special education program. Preparing for the site review was very helpful in giving us a good up-to-date review of our district's operation. The Special Education Program Review Guide served our district in much the same way as a curriculum guide provides direction for teachers. A site review is similar to the review which is established for the 13 Standards and also for the north central review for high schools.

The 16 components of the special education program that are contained in the Special Education Program Review Guide are as follows:

1. Child find.
2. Screening and referral.
3. Nondiscriminatory testing and evaluation.
4. Multidisciplinary team (M-team) and placement procedures.
5. Educational program and least restrictive alternative.
6. Supportive and related services.
7. Confidentiality of personally identifiable data.
8. Development and implementation of the individual education plan (IEP).
9. Due process.
10. Special education administrative structure.
11. Certification of personnel and staff development.
12. Parent involvement.
13. Building facilities and equipment.
14. Needs assessment and accountability reports to state educational agency (SEA).
15. Transportation arrangements.
16. Budget and contracted services.

The purpose of this article is to describe the steps taken by the D. C. Everest area school district in the preparations for a site review and to describe the activities that took place during the site review. Our district prepared this article with the firm belief that the site review process is a viable means of accomplishing two primary objectives:

1. To step back and take a look at the special education program as a whole; and
2. To obtain a considerable amount of technical assistance to our district from the Department of Public Instruction as we implement a delivery system that will provide a full service program.

Preparation and Planning Activities

Request—The D. C. Everest area school district received permission from Dr. Barbara Thompson, state superintendent of public instruction, to withdraw from the Marathon County Handicapped Children's Education Board (CHCEB) in June of 1976. Our board of education began a year long planning process that was designed to provide the leadership necessary to ensure a full range of programming for children with exceptional educational needs after the withdrawal date of July 1, 1977. Since we would be implementing our own programs that we were confident were good for EEN kids, we requested this site review. We understand that we were one of the first school districts to request this review.

Towards the end of that planning/transition year, our board of education became aware that members of DPI-DHC staff would be coming into the field for the purpose of providing technical assistance. Dr. Kenneth Blessing, director of the Bureau for Exceptional Children, described this site review as having two purposes: the site review team would review 16 basic components of a district's special education program and offer technical assistance for any or all of the 16 areas. Anxious to invite the Division for Handicapped Children staff into our district for the two purposes stated by Dr. Blessing, George Longo, district administrator, acting for the board on April 25, 1977, made a formal request for a technical assistance site review to Dr. Blessing. In his response to Mr. Longo, Dr. Blessing indicated that our district made the first request for a site review that had been received by the Division for Handicapped Children.

The district received a memo from Dr. Blessing early in the fall term stating that the D. C. Everest area schools had been scheduled for a site review during the week of October 17, 1977. Accompanying this notification was a memo from Victor Contrucci, administrator for the Division for Handicapped Children, that provided information with regard to the site review. Also enclosed in that first packet was a copy of the Special Education Program Review Guide which is intended as the basic site review document. The administrative staff was instructed that the chairman of the site review team would be contacting us in a few weeks with more information.

Presite Review Conference with Team Chairpersons—Approximately 3 weeks before the site review, the team's chairpersons, Juanita Pawlisch, program supervisor, special learning disabilities, and Kenneth McMahon, program supervisor, mentally retarded, met with district administrative staff providing many helpful ideas along with plans for the review.

The major items that were discussed concerned the intent and purpose of the site review process. It was explained that this was not a compliance visit but rather an opportunity for our district to receive the technical assistance review that we had requested.

The site review team chairpersons also asked for particular areas in which the district requests technical assistance. These areas should be identified by the LEA administrative staff and the current status of the situation or condition should be readily at hand.

We felt that the presite review conference was helpful in assisting us in planning and relieving us of some of our apprehensions.

Self-Evaluation and Preparation of Exhibits—District administrative and teaching staff reviewed a Special Education Program Review Guide and prepared our self-evaluation of the current operation of the 16 components listed in the review guide. We answered positively on every item that was listed. We were, of course, careful to see that there was written documentation behind each affirmative answer.

The site review team also requested that a special educator, regular educator, board member, and parent also complete the self-evaluation and return these evaluations as soon as possible to the Division for Handicapped Children.

The purpose of the exhibits in the site review process is to prepare an overall written documentary of the district's special education program. When we prepared our self-evaluation, we could see that many of the items checked required some kind of written policy, form, memo, or other written means of providing an assurance that each of the items would be carried out. With this in mind, the exhibits were prepared using the outline included in the Special Education Program Review Guide on page 4. Our district included the following items in its display of exhibits:

Exhibit A—Local screening plan.
Exhibit B—Local multidisciplinary team (M-team) plan.
Exhibit C—Local leadership plan.
Exhibit D—Chapter 115.
Exhibit E—Union contracts.
Exhibit N—Needs assessment survey.
Exhibit O—Local program narrative.
Exhibit P-1—Financial reports.
Exhibit P-2—Class enrollments.
Exhibit Q—94-142 statutes and rules.
Exhibit R—Section 504.
Exhibit S-1—Child Find.
Exhibit S-2 and S-3—Contracts.
Exhibit S-4—Health exam information.
Exhibit S-5—Record policies.
Exhibit S-6—Job descriptions.
Exhibit S-7—504 assurance.
Exhibit S-8—Citizen's advisory committee - special education.
Exhibit S-9—Individual educational program (IEP) workshop for D. C. Everest public schools.
Exhibit S-10—Certification.
Exhibit S-11—Parent groups.
Exhibit S-12—504 plan.
Exhibit S-14—Marathon CHCEB contract.
Exhibit S-15—Teacher memo 8-24-77 (role of M-team).
Exhibit S-16—Psychologist memo 8-24-77 (role of M-team).
Exhibit S-17—Nondiscriminatory testing 9-19-77.
Exhibit S-18—Early education.
Exhibit S-19—The IEP and how to live with it.
Exhibit S-20—Summer school.

All of the items were punched and included in three-ring binders which were then labeled according to their contents. Each three-ring binder included tabs that separated the various exhibits contained in each binder.

Inservice—The site review process was the impetus for a great deal of staff development and inservice activity in the D. C. Everest area schools. All administrators and special educators in the district participated in at least three inservice programs conducted during August, September, and October. During the month of September, an inservice program was made available to: every regular educator in our

district, parents, school nurses, and Marathon County Health Care Center staff. In addition, paraprofessionals were invited to IEP workshops held on seven different evenings in the month of September. In all, 323 people participated in the meetings.

Contact with Pilot District—Dr. Blessing identified the Boscobel school district as the location in which the Division for Handicapped Children piloted the site review instrument. We contacted Thomas Long, director of special education for CESA 14, who serves as the director of special education for the Boscobel school district. Mr. Long provided information about the pilot site review process and instrument. This information was most helpful to us in preparing our exhibits, our self-evaluation, and in preparing our district for the visit by Division for Handicapped Children's staff.

Site Review Team's Previous Activities—Each of the members of the site review team carefully reviewed all written information supplied to the chairpersons previous to their arrival in the school district. They had also been carefully briefed as to their role and the agenda of the site review.

Technical Assistance Site Review

Overview—The site review occupied 2 days. The site review team reviewed exhibits, conducted interviews, and made observations. The LEA staff prepared a presentation to serve as the entrance conference. The site review team provided feedback on each of the 16 components reviewed in their exit conference on the last day of the site review. A written report was scheduled to arrive from the Department of Public Instruction within 4 to 6 weeks after the conclusion of the site review.

Agenda—The site review team began with a review of exhibits and a conference with the local special education leadership personnel. The entrance conference preceded the interviews and observations that are conducted by the site review team. The exit conference concluded the actual visit.

Review of Exhibits—Exhibits were prepared in the outline shown on page 4 of the Special Education Program Review Guide. The exhibits were put in three-ring binders and placed in a room reserved for the entire site review team. A list of exhibits was supplied to all team members and sufficient time was provided to review the exhibits.

Entrance Conference—The entrance conference provided an overview of the total special education program for the site review team.

The chairperson of the site review team began the entrance conference by introducing site review staff, explaining the purpose of the visit and discussing the agenda to some degree. The chairperson generally explained the major policy components of the special education program as reviewed by the site review. Details of the agenda were covered at that time.

The remainder of the entrance conference in our district was conducted by the LEA. It structured around the 16 components or district competency areas that are listed in the Special Education Program Review Guide. The district administrator discussed the history of the special education program and provided an emphasis on the philosophy and goals of the district regarding children with exceptional educational needs. He also discussed the special education administrative structure and parent involvement in the D. C. Everest area schools. The director of personnel and pupil services discussed the confidentiality of personally identifying data and certification of personnel. The D. C. Everest area schools Child Find coordinator made a brief presentation on the current status of the Child Find project in our district. Finally, the director of special education discussed the remaining components of the special education program in our district.

In short, the entrance conference format followed the areas outlined as "components" in the Special Education Program Review Guide. We felt that, since this was the way in which our district was to be reviewed that it would be best to present the information to the site review in the format in which they would be dealing during the remaining 2 days of the site review process. Attending the entrance conference was the site review team, principals, psychologists, the director of curriculum and instruction, the director of business services, the director of personnel, the director of special education, the district administrator, a board member, and a member of the Citizen's Advisory Committee-Special Education. We feel that if this meeting had been held in an afternoon or evening, it might have been possible for special education and regular education teachers, board of education members, and the parents to have been present at both the entrance and exit conferences.

Interviews—The exhibits and the entrance conference provided information to the site review team about the overall operation of the district's program for children with exceptional educational needs. However, it was in the interviews that the heart of the district becomes evident.

Many of us have witnessed situations in which a program looks very good on paper but falls somewhat short of the anticipated goals when one looks carefully at the way in which the program is operating. The importance of attitude towards handicapped children and priorities set in areas that benefit the handicapped cannot be underestimated when considering the quantity and quality of services available to children with exceptional educational needs.

It is expected that representatives of the following categories of people will be interviewed:

1. Board of education members.
2. Parents.
3. District administrator.
4. Director of special education or program designee.
5. Pupil services personnel.
6. Principals.
7. Regular educators.
8. Special educators.

9. Local vocational education coordinator.
10. Child Find coordinator.
11. School nurse.
12. Other supportive or related staff who may be district or nondistrict employees.

Observations—The site review team observed buildings and classrooms in operation. The site review team was interested in following students into regular classes and they observed one of the adaptive physical education classes. Conversations with regular classroom teachers, special education teachers, and teacher aides were also conducted at random. While both district and DPI personnel would have liked more time set aside for observation, this was not possible due to the rigorous interview schedule.

The observations also included a review of M-team reports, IEP's, pupil behavioral records, and progress records. These records were chosen at random and were selected from building files rather than central office files.

Exit Conference—The last activity of the site review team during the actual review process in our district was the exit conference. The purpose of this conference was to present the findings of the site review team. The team indicated the strengths observed, weaknesses noted, made recommendations for improvement in the major component areas, and gave an explanation of the followup format in reporting by the Division for Handicapped Children. Each member of the site review team was responsible for reporting on two or three of the special education program components. In almost all cases, positive comments were made first and recommendations for improvement were made second. Those present for the entrance conferences with the site review team were again present to hear the final comments and to react to the summary reports.

Written Report—The written report from the site review team arrived in approximately 4 weeks. Each item within each of the 16 competency areas listed in the guide was rated and each of the 16 areas was evaluated. Included was a narrative statement which listed the strengths observed and the weaknesses noted. A space was provided for LEA comments. Suggestions were made for ways in which the basic program might be improved.

Summary—We feel that the site review process was very helpful in our D. C. Everest area school district. The DHC site review team confirmed our belief that we have a good special education program and made suggestions on ways that we might improve our offerings to children with exceptional educational needs. With these points in mind, we believe that the site review in our district was a success.

The Legislature's Role in Handicapped Education

By Richard A. Flintrop
State Representative—56th District
Chairperson, Assembly Education Committee

The year was 1957. The biennial budget for the state of Wisconsin totaled $1.3 billion. The legislators who enacted this budget spent only a small portion of the year in Madison. They were temporarily away from other fulltime jobs for the purpose of giving direction to state government's comparatively small role in society.

Whether through the demands of the public for increased state services or the self interests of the politicians to make good on campaign promises, the changes in the last 20 years are astounding. In 1977, the biennial state budget totaled $8.1 billion with $4.1 billion generated from state levied taxes and with the balance coming primarily from the federal government.

Today, over 65% of the 132 members of the legislature consider themselves fulltime representatives with no additional outside employment. Rather than meeting a few months every 2 years and then going home to farm, practice law, or run the family store, most legislators believe that to initiate and review policy and to meet the daily needs of constituents, a fulltime commitment must be made to the position.

Some critics suggest that the primary motivation behind the increase in legislative activity is our effort to justify higher salaries. Although this argument satisfies the cynics, it ignores history. State government has assumed expanded responsibilities in response to public demands, court mandates, and acts of the US Congress. In no area has the role of state government grown more than in public education.

First, the baby boom, coupled with the growing necessity for education in an increasingly complex and dynamic society, forced a rapid expansion in the size and scope of our entire education system.

Second, increased costs of primary/secondary education and the resulting increase in property taxes brought a demand to shift a greater burden of educational expenditures on to more progressive state taxes.

Third, state and federal courts have evolved into policy-making bodies of considerable force requiring states to assure such things as equal educational opportunities for all children and equitable financing of education.

Fourth, the legislature has more aggressively initiated policy for education in an effort to prevent additional court intervention, to respond to public pressures for more specific standards for schools, and of course, to assure a high quality and variety of services for Wisconsin's citizens.

As a result of these trends, the percentage of the state budget committed to primary, secondary, and higher education has grown from $229 million or 18.3% of the 1957-59 budget to $3.235 billion or 40% of the 1977-79 appropriations.

I am proud of the role the legislature has historically taken in the formulation of educational policy. Major new programs such as special education, racial transfer incentives, and bilingual education have been initiated by the legislature.

The current 13 member Assembly Education Committee recognizes the importance of our partnerships with local school boards, parent and teacher groups, the state superintendent of public instruction, and vocational school and university personnel. We also take seriously our responsibilities for budget review, policy making, and overseeing. While the committee has assumed an aggressive role in every area of public education, for purposes of example, let me share with you our activities relating to special education.

During the 1972-73 school year, the Department of Public Instruction (DPI) estimated that there were approximately 104,670 handicapped children in Wisconsin. Of these, only about 52% were receiving special education services.

The enactment of Subchapter IV of Chapter 115 of the Wisconsin statutes in the fall of 1973, culminated a long effort by parent and interest group advocates to assure that every child with special educational needs receives appropriate services. Equally important was the requirement of least restrictive placement, therefore mandating the integration of handicapped children into nonhandicapped society. The basic responsibilities and lines of authority for special education programs were reiterated by the federal government upon the enactment of Public Law (PL) 94-142 in 1975.

While local school districts are given primary responsibility for implementing the dramatic education policy mandates in Chapter 115, the statutes direct DPI to approve and supervise the local special education programs, to disseminate the 70% state aids, and to provide the public with information on special education. The agency is also empowered to find districts to be in noncompliance with Chapter 115's mandates and to recommend remedies—resorting to injunctive relief from the state attorney general if all else fails.

To an extent, the story of Chapter 115 has followed the civics textbook model of government in action: public pressure, legislative lawmaking, local implementation, and bureaucratic overseeing. However, it is doubtful whether government in practice can ever be divided neatly into such precise domains; and this easy categorizing is certainly not the full picture regarding the implementation and oversight of Chapter 115.

While the legislature established the broad parameters for the required special education programs, DPI was delegated the responsibility for the development of administrative rules to implement the new law. Final promulgation of the administrative rules was delayed numerous times, primarily due to the interest of the Assembly Education Committee to seek improvements in them. To supplement DPI's numerous hearings on the proposed rules, committee members contributed additional opinions based on conversations with educators in our home districts. The result of this cooperation between DPI and the committee was, in my opinion, a considerably improved set of rules both in terms of clarity and procedure. Administrative rules have the force of law and can dramatically alter the initial intent of legislation and, therefore, this type of overview by legislative committees must certainly continue.

Legislative committees may hold hearings on proposed administrative rules, although the committees' recommendations are advisory only. However, administrative rules can be suspended by a majority vote of the Legislature's Joint Committee for Review of Administrative Rules.

As the programatic responsibilities of DPI have expanded, so has the overseeing role of the standing legislative committees. The process of legislative overseeing is a difficult and sometimes delicate task. Given a political system presumably founded on the basis of separate and coordinate branches of government—with each respecting the coequal status of the others—the mention of one of these partners "overseeing" another may seem to strain the relationship. However, the technique of overseeing reflects the principle of checks and balances and, if used judiciously, provides the citizenry with a greater assurance that services are being delivered effectively and efficiently.

Chapter 115 is unquestionably the single most important statutory program administered by DPI. Although the vast majority of school districts have made heroic efforts to reach compliance with the new law, DPI's administration of the program illustrates how an agency can stymie legislative intent by indecision and inaction. There can be no doubt that the special education mandate is floundering in some areas of the state, 4 years after passage of the law.

During the past year, I have taken an increasingly active role in reviewing the implementation of Chapter 115 as well as the state's response to the Panitch case. Panitch vs. State of Wisconsin, a class action suit pending against the state

since 1972, charges that Wisconsin is not providing appropriate special education services for all children with exceptional needs. Although I appreciate the preference of the state superintendent to work amicably with districts in seeking compliance with the law, there comes a time when more than a gentle word of encouragement is necessary. A year ago, it became obvious that the time had come in the Milwaukee district. In February, 1977, 4,439 Milwaukee children had been waiting for multidisciplinary team (M-team) evaluation for longer than the 90 day limit. The average time on the backlog list was then 10.8 months.

Under both state and federal law, the state educational agency is given clear responsibility to assure compliance with the law. While it is not my belief that the state superintendent should initiate formal proceedings every time she hears a rumor of noncompliance, certainly the Milwaukee district deserved more decisive attention than it was given.

Last summer, the Assembly Education Committee held hearings on DPI's administration of Chapter 115. The committee requested an explanation from the state superintendent as to why DPI had failed to issue the statutorily required annual reports on the status of special education in Wisconsin's schools. The committee also inquired about DPI's statements and motions submitted to the Eastern District Federal Court in the Panitch case.

On November 22, 1977, the federal court concluded that a significant portion of the state's handicapped children remained to be identified and placed, and therefore, the rights of all handicapped children to equal protection under the law had been violated. The court further recognized DPI's reluctance to assume responsibility for implementation and pointed out the irreparable damage that had resulted from this reluctance.

While the precise nature of the federal court intervention has not yet been decided, it was made clear that any further delay in reaching full and meaningful compliance would not be tolerated. At best, the state superintendent and the noncomplying districts will be able to convince the court that compliance will be met soon and that further court involvement is unnecessary. At worst, the court may appoint a special master of special education for the state, with legal powers superseding those of the state government and local school boards. In any event, the fact that the federal courts have become involved in enforcing legislation passed over 4 years ago and supposedly fully effective 18 months ago is a matter of grave concern to the legislature because unless the laws we make are useful and effective, we are wasting our and many others' time.

Perhaps those of us in the legislature concerned about education were remiss for not asking tougher questions earlier. Certainly the experiences of 1977 have made me more keenly aware of the overseeing responsibilities the legislature has. During the past few months, we have built a closer working relationship with parent groups, members of the state advisory committee, and professionals around the state in an effort to gain our own insights into the ongoing problems faced by those interested in seeing all handicapped children properly educated. We wish also to serve as advocates for the administrators and staff responsible for the on-line delivery of these services. These interests will continue to involve the Assembly Education Committee with special education in a number of ways.

I am certain that the state will not back away from the substantial commitment which we have made to share the costs of special education. The state appropriation for this program alone has increased 158%, from $66.8 million in the 1973-75 biennium to $172.3 million appropriated for 1977-79. Perhaps as early as this February, however, the legislature will be considering a revised formula for distributing handicapped aids. An excess cost formula, being studied as an alternative to the present straight 70% reimbursement, would more accurately reflect the additional costs incurred by school districts for providing the extraordinary services provided to children with exceptional needs.

Further, we do not see Chapter 115 as a perfect law. The biennial budget made numerous changes in the law relating to reimbursement, operation, and county handicapped children's education boards. Additional proposed amendments are now pending relating to such issues as a revision in the salary reimbursement formula for school psychologists and school social workers and the establishment of independent hearing examiners to hear placement appeals. Likewise, we will be working with the state superintendent and the governor to insure that PL 94-142, the federal handicapped law, and Chapter 115 are compatible.

Finally, we shall continue to demand accountability. We have been assured that the required annual reports on special education will now be completed. The state superintendent has also committed herself to being a vigorous enforcer of Chapter 115 and we support these efforts enthusiastically.

On the balance, Wisconsin is closer to meeting our full responsibilities to children with exceptional needs than most other states. The effort to date reflects the determination of our citizens to maintain the best possible education system for all residents. The challenges ahead are not insignificant. Declining enrollments and population shifts will demand tough decision making. Other unique educational needs must be met, whether it be for gifted and talented children or children with the need for vocational training. We must in general move beyond conventional ideas to develop an educational system which will give our children the tools they need to find fulfilling lives in the 21st century.

No one governor, state superintendent, school administrator, parent, teacher, or legislator can adequately design our educational agenda for the years ahead. The partnership of all these parties is maturing with experience. I am optimistic that we have the creativity, the energy, and the will necessary to provide a quality education for every Wisconsin child.

Tips on the DHC Site Review Process

By Kenneth S. Hobbs
Director of Special Education
D. C. Everest Area School District

As our district prepared for a Division for Handicapped Children site review, the administrative staff learned a number of things which we would like to share with those of you who are preparing for your site review. Comments and observations are included in four areas: the preconference visit, exhibits, interviews, and inservice.

Preconference Visit:

1. District administrative staff should be prepared to provide a brief overall picture of the special education program at that time. About 15 minutes worth of presentation might be helpful to include the number of students, number of units, location of units, administrative structure, supportive and related staff, and the various fiscal arrangements that are used to provide the various components of the special education program.

2. The self-evaluation, district narrative including the multidisciplinary team (M-team) plan, and the 94-142 LEA application and any other data that you would wish the site review team to review previous to their visit should be available and presented in multiple copies to the chairpersons at this preconference meeting.

Exhibits:

1. It is important to have written documentation to support responses made as a part of the self-evaluation. The word policy means a written board policy and these items should be included in the exhibits.

2. Since the exhibits are the first thing that is seen by the site review team, they better be good. A high quality exhibit can answer many questions that might otherwise be raised. Special education leadership personnel should assume that the site review team will attempt to verify parts of the information in the exhibits during their interviews and observations.

3. It is recommended that the exhibits be prepared and displayed in such a manner as to enable any member of the site review team who is unfamiliar with the district, to quickly gather any piece of information that may be necessary or requested as a part of the site review process. Local leadership personnel should also be quite familiar with the exhibits as they may have to refer to a particular item at any time during the site review process. The site review team will need 2 to 3 hours to review the exhibits and they will probably want to do this in a room by themselves.

Interviews:

1. Due to the importance of this aspect of the site review process, we felt it was important to meet with each of the people who had been scheduled for interviews in order to explain to them the purpose of the interview and to provide some general information about the site review process. Those people being interviewed were given instructions to answer any and all questions asked by the Department of Public Instruction (DPI) site review team openly and honestly. We also explained that it was OK if they did not have an answer to a particular question asked by the DPI site review team.

2. Unscheduled interviews may be held during the time the DPI team is in the district.

3. Interviews were conducted usually by two members of the site review team and usually involved two other individuals. A private room was set aside in which coffee was supplied. We mention coffee here because it seemed to be very helpful for those individuals being interviewed to have something in their hands. It seemed to make the individuals a bit more at ease. The interviews lasted anywhere from 45 minutes to an hour-and-a-half and, in all cases, could have gone for a longer period of time.

Inservice:

1. The whole process of preparing for a site review can be a valuable inservice tool for those who are involved in getting ready for the site review team. Our district held several meetings for parents, teachers, and the administrative staff which served to review important parts of the special education program.

I believe that a final word is in order to those who may fear a site review.

In a time when negotiations, competency based education, and declining enrollments often get the limelight, having a site review placed a priority on the needs of handicapped children-where the priority should be.

Profile

Alverna Robinson

Alverna epitomizes one of the basic tenets of good teaching: sincere praise goes much further than criticism. As a teacher of retarded students in Wisconsin, I welcomed her visits, scheduled or not, because she always made me feel as though I could attain any reasonable goal for the students or for myself. This positive feeling was not limited to teachers or aides, however; I well remember Alverna calling my students by name and relating with them in a most positive manner. The look on their faces following such an encounter was most rewarding to me, their teacher!

Over the years, I have attended many inservices with Alverna. It never ceased to amaze me the way teachers would seek her out and talk with her on a first name basis. She always has time for the personal concerns of her coworkers and the students they serve.

Alverna was the directing force behind my progressing in the field of special education. Without her guidance and help, I doubt if I would have set the same goals as she set for me. She has been instrumental by her example, as well as encouraging countless professionals in the field of special education to reach for higher goals; but upper most in her mind were the students and the effect of good teaching upon them. Alverna is "Mrs. Special Education" to me!

Madeline Alvarez
Assistant Director of Special Education
CESA 14

To be asked to contribute in any way to the recognition of Alverna Robinson is an appreciated distinction. To say that Alverna is a leader in her chosen field seems trite. Yet it needs to be said and those of us in CESA 14 who know her very well and have worked very closely with her over the years want her to know that we have the highest regard for her professional capabilities.

I wish there was a way to somehow know the number of people Alverna has touched in a positive way. Not just those whom she has dealt with directly but also all those people who have benefitted in some way because of Alverna's unmatched ability to motivate those of us who may be less discerning.

But beyond the foregoing, Alverna Robinson is our friend in the deepest and truest sense of the word. I speak for many when I say we in CESA 14 prize and cherish that friendship.

Thomas Long
Director of Special Education
CESA 14

Alverna Robinson has been an important contributor in our development of a vocational education program for our exceptional educational needs students. This has included encouragement and assistance in the areas of curriculum and facilities planning and her assistance in providing us with materials for teacher inservice.

Having a background in industrial arts, it is a comforting feeling knowing that I can request help from Alverna and that I will receive it cheerfully. Her enthusiasm in working to improve opportunities for special education students is quite obvious and sets an example for us to follow.

Richard Swenson
Local Vocational Education Coordinator
Tomah Area School District

Alverna Robinson does not find it an imposition to be imposed upon when children's interests are involved. Within the boundaries of Wisconsin, she seems to find distances to all school districts equal. To have coffee with Alverna, out in the state, is to share her company with special education directors from the area who have in some mysterious way located her. I have seen Alverna work on five problems and seven cups of coffee at a single sitting. Mrs. Robinson has helped us with problems as early as a breakfast conference and as late as the approach of midnight.

To know Alverna is to know the heart of special education—the teacher, consultant, advocate who is dedicated to the idea that to serve handicapped children means for now and forevermore.

Woodrow Sizer
Coordinator
CESA 1

Alverna and I go back a long way in special education in this state. I first saw Alverna teaching in a regular rural school back in the early 50's when I was supervising programs for the mentally retarded. I think I was instrumental in talking her into crossing over into special education. I then supervised her special classes with the mentally retarded until 1965, at which time I heartily endorsed her appointment as a supervisor in the department. She already had a reputation as an outstanding special educator and had established one of the first and finest work study programs in Wisconsin for her secondary students in Mt. Horeb.

We often hear talk of the renaissance man, capable and competent in many professional areas. In this era of women's lib, I would say that Alverna characterizes the renaissance woman. Over the years we have given her many diverse assignments and responsibilities and she has always responded positively and competently as a professional. I am well aware of the extensive assistance and guidance provided by Alverna to special educators in Wisconsin. This assistance has been given unstintingly. I am pleased to express some of my personal feelings about a coworker, a good friend, and an outstanding advocate for exceptional children.

Dr. Kenneth Blessing
Director - Bureau for Exceptional Children
Division for Handicapped Children

Federal Programs — Impact

Statewide Comprehensive Preservice and Inservice Training Program

John H. Stadtmueller
Federal Programs Section Chief
Administrator, Title VI, EHA

Public Law (PL) 94-142 and Chapter 115 both call for a full service program for all handicapped children ages 3-21. In Wisconsin's Chapter 115, it is implied that all exceptional educational needs (EEN) children ages 3-21 will be provided an appropriate program designed to meet their needs; while PL 94-142 is more explicit and calls for a free and appropriate education program for all handicapped children. There is an underlying assumption that when both sets of rules are in place, the conditions for programming will lead to an appropriate educational program for all handicapped children. However, Wisconsin has always taken the position that "appropriate" may just be a standard that is a minimal requirement. In order to talk about "appropriate" meaning more than just the basic minimum, the conditions established by PL 94-142 and Chapter 115 will serve as the springboard from which good programming arrangements can take place; but there is a need to provide some mechanism that will move our programming arrangements for children beyond "the appropriate level" into the best possible programming arrangements. This movement to upgrade programs to a higher operational level can best be seen as the intent behind the Statewide Comprehensive Preservice and Inservice Training Program.

In sections 121a.380-384 of the PL 94-142 regulations, there is considerable emphasis placed on the nature of comprehensive training. One can read the intent to mean that in keeping with the single line of authority concept, all persons who touch base with the lives of a handicapped child are, in essence, a target population to be participants in a statewide comprehensive training program. The single line of authority concept implies that State Superintendent of Public Instruction Dr. Barbara Thompson is, in fact, responsible for the educational programming arrangements for all handicapped children in all public schools and public-supported agencies and for all children in private schools who were referred there by some form of public authority. The concept of comprehensive training and the single line of authority concept are all-encompassing as they tend to include all persons in any form of the educational domain and in all supportive and related services who together form the base for a full educational program for handicapped children in Wisconsin. The movement for training is not without precedence as PL 89-313, an amendment to Title I, ESEA, has long called for inservice training for staff persons in such programs. Further, as part of the 13 Standards, Wisconsin calls for inservice training and, in fact, requires an

inservice training committee in each local educational agency. PL 94-142 requires that each local educational agency receiving flow through funds must document their comprehensive training program under the term "personnel preparation."

With the framework established above, a statewide inservice committee was established in October 1977. The results of three meetings of this committee led to three regional meetings held in November 1977. These three regional meetings pulled together a cross-section of educators, parents, school board members, higher education personnel, district administrators, psychologists, school social workers, etc. They provided input on what they felt were the current inservice training needs. The results of these three meetings were tabulated to present a picture of inservice needs and to develop a draft plan that could be used by the local educational agencies in meeting the PL 94-142 requirements for a comprehensive training program. This draft plan was referred back to the statewide comprehensive training committee members for further review and recommendations. The final product will be used as a companion document to the 1978 PL 94-142 Local Educational Agency Application/Plan for flow through funds and would be known as the 1978 Local Educational Agency Comprehensive Training Plan. It should be noted at this point that the elements in the 1978 plan were not fully researched for their value as inservice activity but merely provided as a guide for the local educational agencies to use in preparing this companion document to their PL 94-142 application/plan. At this stage nothing was really "cast in concrete."

When one further explores the scope of the Statewide Comprehensive Preservice and Inservice Training Program in view of the fact that each local educational agency can have input into this program through its local comprehensive training plan, the magnitude of the entire operation will be evident. This comprehensive nature may be looked at in several ways to include: *levels of training, delivery systems for inservice training,* the *wide variety of potential participants* for inservice training, and the *large number of coordinative factors* that must take place among the various schools and agencies to carry out such a plan.

In looking at the levels of training, there appear to be four distinct levels that must be addressed. From the *preventative* aspect, we are now at the bargaining stages with the Developmental Disabilities Board to carry out a cooperative project between the Wisconsin Association for Retarded Citizens/Youth Association for Retarded Citizens and the Wisconsin Department of Public Instruction/Division for Handicapped Children. This endeavor will attempt to institute the concept of developmental disabilities in a K-12 curriculum so there will be not only awareness and tolerance, but also acceptance of the concept of developmental disabilities starting with very young children. At the *preservice level,* there is little concern that the institutions of higher education will do an outstanding job relative to the undergraduate training program for persons receiving training in the special education areas. The assurances for this have been more than guaranteed through the efforts of the Z-group, which consists of representatives of all the institutions of higher education having training programs for special education. There is a growing movement to include coursework at the undergraduate level for students in regular education in order to provide a good overview of exceptionalities so that the same will be incorporated at all educational levels after preservice education is complete. At the *inservice level,* it can be seen that all school districts must provide for a continuous training program that will offer educational and related staff members the opportunity to gain insight and techniques on how to work with handicapped children. Finally, a level of training that cannot be overlooked is that of *working with parents* to assure that our total offerings to handicapped children are not merely in the school setting but are included in the home and the community, so a consistent approach is developed toward a more than appropriate impact on the lives of our handicapped children.

There are many ways to approach the comprehensive training program concept from the standpoint of *delivery systems for training.* For example, training might be that of coursework, 1- or 2-day inservice programs or workshops, courses offered in conjunction with an institution of higher education on a weekly basis and offering credit to its participants, through the media of TV, organized media packages, correspondence work in the form of inservice packages or material to read, or surveys with feedback information. In addition to these methods of training, inservice activity might also be in the form of one-to-one sharing relationships among professional staff or on the basis of trying out technical approaches to presentation of material through the actual implementation of instruction with children. It is readily apparent that the institutions of higher education have a very vital role to play not only in coursework offerings, but also in the development of inservice training packages that can be geared to a specific topic and be available for use by large numbers of local educational agency individual inservice program offerings. It is perceived that one of the key elements in a comprehensive training program will be the productive use of the Special Education Instructional Materials Centers (SEIMC) located throughout Wisconsin. In the past, we have had very good success in using this network of SEIMCs to develop and deliver inservice workshop-type programs. All in all, it is perceived that there is no one method for handling comprehensive training; and, in fact, there are several different delivery methods possible.

Under the single line of authority concept, it can be seen that the education of handicapped children in Wisconsin is not merely the role of the public schools. Since all organized education programs are the responsibility of the state superintendent of public instruction, it follows that persons involved in any form of education and/or related services in public-supported institutions, day service centers, etc., are in need of inservice activity as well as their counterparts in the public school setting. Further, Head Start, vocational education, vocational rehabilitation, and vocational-technical schools all have staff members who are involved directly or indirectly in the education/training of handicapped children and youth. While all of the above generally represents teachers of exceptional education; teachers of regular edu-

cation; teacher aides; psychologists; school social workers; teachers of physical education, art, and music; and guidance counselors, it is clear that the administrators and the decision makers of such programs, i.e. school board members, also can be recipients of some form of training under the comprehensive training plan concept. Of final importance is the need to involve parents in many facets of training as parents actually have handicapped children for a far greater period of time than do any of the organized educational structures. As the concept of nondiscriminatory action develops through the growing influence of Section 504 of the Rehabilitation Act of 1973, it is apparent that many persons in the community such as recreation persons and parks personnel, etc., will also be involved in some element of the comprehensive training approach.

In order to carry out a comprehensive training program to its full magnitude and to work under the concept of a single line of authority, it is evident that the *various administrative-type organizations must pool their human and fiscal resources.* To develop a most productive statewide comprehensive program, it will not be possible to satisfy the intent of the law by merely charting or listing all the various types of inservice activities taking place through the efforts of the many organizations throughout Wisconsin. In fact, it will be necessary to show the active involvement on the part of each organization or agency as they embellish the total statewide comprehensive training venture. For example, if a particular institution serving handicapped children develops a good inservice package, that package should be shared with others and/or the actual presentation of such inservice activity might include persons other than those employed by the sponsoring agency. In like manner, it is not possible for parent groups to operate in isolation; but their inservice training activity should be open to sharing with professional staff persons from both the public and private sectors. In turn, individuals who are particularly good at inservice activities should be made available to share their skills with other agencies on a lend or contractual arrangement basis. In its ultimate, it is conceivable that staff members in special education training programs from the various institutions of higher education might be responsible for the inservice activity of surrounding local educational agency programs. Moreover, the various administrators of both public and private agencies and organizations, in conjunction with parent groups, should be willing to share their fiscal resources to jointly sponsor inservice activity through a variety of methods with a whole host of participants leading toward a favorable impact on the lives of our handicapped children regardless of the origin of their program involvement.

All of the above activity will not magically take place but will require the concentrated efforts of many folks. We are planning for an appointed statewide comprehensive training program committee to provide general direction for the entire state. We are hopeful that this statewide committee will have representation from many facets of life so that the direction or recommendations provided will "cover the waterfront" with respect to the types and needs of inservice/training participants. In turn, each local educational agency or combination of local educational agencies submitting a PL 94-142 LEA Application/Plan for flow through funds will be required to develop a working advisory committee made up of a cross representation of the education/training scene in order to insure that local service inservice activities will not be centered solely on the public school setting. It is anticipated that the efforts of the Z-group, representing the various higher education training institutions in exceptional education, will also involve users or consumers on the Z-group advisory committee so that personnel training needs are not developed in isolation but reflect a true picture of inservice training needs and allied training needs in regular education, thereby strengthening the higher education input into the inservice training areas.

All of the above, while sounding complex, should eventually sort out into a working system of comprehensive preservice and inservice training for Wisconsin, so that the mechanisms established under Chapter 115 and PL 94-142 will be enhanced to the point where improved programming for all our handicapped children becomes a reality.

Council on Exceptional Education

Seated from left to right: Sister Leonius Skaar, Cheryl Lee, Spencer Korté, Shirley Lipke, Betty Kossak, Peg Olsen. Standing from left to right: Lila Kelly, John Kotek, Mary Knauf, Joan Waite, Richard Darnill, Milo Pritchett, Ludwig Petersen. Not pictured: Michael Mutschler and Lawrence Siegel.

Let us introduce to you the Wisconsin Council on Exceptional Education. A mandatory council, it is the members' function to advise the state superintendent of public instruction concerning proposed policies and rules relating to the education of children with exceptional educational needs, special education programs, the state plan, and any other matters upon which the state superintendent wishes the council's opinion. Additionally, it is the function of the council to report biennially to the legislature on special education programming efforts.

RICHARD DARNILL

Mr. Darnill serves as a parent representative from Mauston where he is employed as the district administrator of schools. He is active in local community affairs including the Juneau County Association for Retarded Citizens. His bachelor of science degree is from UW-Platteville in agricultural education and biological science. His masters degree is from the UW-Madison in education administration. He is married and the father of five children.

LILA L. KELLY

Mrs. Kelly is a parent representative on the council. She is active in many community programs in Milwaukee dealing with the educational and social service needs of exceptional children. Her community activities include membership on the Desegregation Monitoring Board, charter membership with the Milwaukee Public Schools Exceptional Education Task Force, membership on the Milwaukee Metropolitan Council on Criminal Justice, member of the United Way of Greater Milwaukee, and membership with the National Association for Retarded Citizens. She received her A.B. from Antioch College with a degree in literature and history and pursued advanced studies at New York University. She is married and the mother of four children.

MARY KNAUF

Mrs. Knauf is a parent representative on the council from Chilton, she is active in community affairs including acting as the chairman of the Chilton Board of Education, treasurer of CESA 10, and chairman of the Chilton Library Board of Trustees. She was formerly employed as a surgical nurse at St. Mary's Hospital in Racine. She describes her interest in special education as "helping the handicapped to become handicapable."

SPENCER KORTÉ

Dr. Korté is the program coordinator for the Department of Exceptional Education in Milwaukee. Other professional affiliations include membership on the Council for Exceptional Children (CEC) and the National Association for Retarded Citizens. Dr. Korté received his masters of education degree from Glassboro State College in New Jersey and his doctorate in special education administration from Southern Illinois University at Carbondale.

BETTY L. KOSSAK

Mrs. Kossak serves as the regular education teacher representative on the council. From Superior, Mrs. Kossak in addition to her teaching duties serves on the United Cerebral Palsy Board, served as the publicity chairman of the Superior Association for Retarded Citizens, and serves as president of the UW-Superior Alumni Association. As a regular education teacher, some exceptional children have been integrated into her classroom.

JOHN R. KOTEK

Mr. Kotek is employed as a director of special education for CESA 13. He presently serves as president of the Wisconsin Council of Administrators of Special Education (CASE). For the past decade he has served on the board of the Dodge County Sheltered Workshop. Mr. Kotek received his bachelor's degree from the UW-Stout and his masters from Winona State University in Minnesota. Mr. Kotek is married and has five children.

CHERYL LEE

Mrs. Lee is the special education teacher representative on the council. She is employed by the Rock County Handicapped Children's Education Board as a speech clinician and is a media teacher for the SEIMC in CESA 17, Janesville. She received her degree in speech pathology and audiology from the Hampton Institute. She is married and lives in Madison. Community involvement includes a position of vice-president on the board of directors for the South Madison Neighborhood Center.

SHIRLEY LIPKE

Mrs. Lipke is a parent representative on the council. She is past vice-president of the Madison Society for Autistic Children and currently serves the society as secretary. Other community involvement includes membership on the Dane County Developmental Disabilities Planning Committee and membership on St. Mary's Hospital Alumni Board. Her training is in nursing. She is married and has five children.

MICHAEL MUTSCHLER

Mr. Mutschler is the handicapped member of the council. He is a resident of Madison and a student at the UW-Madison, majoring in adaptive physical education. He has served as a citizen advocate and is currently involved with Madison Recreation for Handicapped Children and Adults.

PEG OLSEN

Mrs. Olsen is a parent representative on the council. She describes herself as a "parent activist" in obtaining services for exceptional children. She is involved in a number of community activities including work as an advocate with families of children with exceptional educational needs, membership with the Wisconsin Association for Retarded Citizens, and membership on the interagency committee of Dane County Social Planning. She received her bachelor of science degree in nursing from the Boston College School of Nursing and has served as a staff nurse and as an instructor in medical surgical nursing in Massachusetts. She is married and the parent of three children.

LUDWIG PETERSEN

Mr. Petersen is the coordinator of CESA 3 and resides in Gillett. Organization memberships include CEC, Association for Retarded Citizens, Phi Delta Kappan, Wisconsin Association of School District Administrators, Rural Education Association, and the Wisconsin Association of CESA Directors. His bachelor of science degree is from the UW-Madison in geography and education and his masters from the UW-Madison in education administration. He is married and the father of four children.

MILO PRITCHETT

Dr. Pritchett is chairman of the Department of Special Education at UW-Eau Claire. Dr. Pritchett has served in leadership roles in local, state, and national organizations. He is currently a member of the Wisconsin Cooperative Planning Committee for Personnel Preparation and Handicapped Education. In his 25 years of service to exceptional children, he has served as a teacher of speech and hearing impaired children, a director of special education, chairman of Departments of Special Education, and a teacher trainer. His experiences include work with exceptional children and their parents and development of teacher preparation programs in all areas of exceptionality.

LAWRENCE SIEGEL

Dr. Siegel serves as the medical representative on the council. He is the chief of pediatrics at the Waukesha Memorial Hospital and serves as a clinical instructor at the Wisconsin Medical College. He is involved in a number of community boards including the Waukesha County Developmental Disabilities Board, the Public Health Board, Visiting Nurses Association Board, Day Care Board, and the Head Start Board. He received his medical degree from Albany Medical College in New York and has completed postgraduate work at the University of Colorado in developmental problems, his major field of interest. He is married and has two children.

SR. LEONIUS SKAAR, O.P.

Sr. Leonius represents the nonpublic sector on the council. She is presently the director of the Division of Pupil Personnel Services for the Archdiocese of Milwaukee. She deals with exceptional children in her work with teachers, principals, parents, and children in the ten counties of southeastern Wisconsin. She has a background in special education and has been an LD instructor at the elementary and college levels.

JOAN M. WAITE

Mrs. Waite is the school board representative on the council and serves as council chairman. She is active in many church, youth, and community activities including clerk of the Clinton School Board, chairman of the Community Affairs Commission, legislative chairman of the Woman's Division of Greater Beloit Association of Commerce, director of the Rock Prairie Arts Council, and is child development leader with the 4-H. She received her bachelor of arts degree in history and her masters degree in teaching from Beloit College. She serves as bookkeeper for her husband's farming operation; they have five children.

The New Copyright Law:

Problems and Procedures for Libraries/Media Centers

By Ralph Whiting
Instructional Media and Technology Supervisor
Division for Library Services
Department of Public Instruction

It is probably fair to state that more has been said, written, and debated about the new US Copyright Law within the past year than the old law since its inception. All that not withstanding, Title 17, Public Law (PL) 94-553, became effective on January 1, 1978. It now falls upon all citizens to meet the intent of that law to the best of their abilities. That qualifier is based upon the uniqueness of the copyright law itself, which contains certain aspects that are open to interpretation. In the next few paragraphs I will attempt to identify particular areas of the copyright law that have a direct effect upon media professionals and other educators. Additional study will be required to further develop one's knowledge and understanding.

The new law extends the length of copyright protection to the life of the owner plus 50 years. This change places the United States law in uniformity with international laws. Copyright protection was also extended to include maps, charts, prints, lectures, drama, sheet music, photographs, labels, films, and sound recordings. Original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, whether directly or with the aid of a machine or device, are covered. These include computer programs and video tapes.

For works created on or after January 1, 1978, copyright protection subsists from their creation. Thus there should be no question of whether or not a work is protected. Section 401 requires the placing of that notice in such manner and location as to give reasonable notice of claim of copyright.

Section 107, limitation on exclusive rights: fair use, provides educators with the right to reproduce copies of phonorecords of copyrighted works for the purpose of teaching (including multiple copies for classroom use). In an attempt to place within the law itself the criteria to be used in determining fair use, four factors were included (Section 107). That section, while very brief in the law itself, contains a most important element for educators.

Reprinted from the *Wisconsin Library Bulletin*, March-April 1978, Volume 74, Number 2 with permission from the publisher.

In an attempt to provide guidelines for classroom use, an agreement on guidelines for classroom copying in not-for-profit educational institutions was developed by an ad hoc committee of interested groups. It is important to note that these (as well as the guidelines for educational uses of music) are *minimum* and *not maximum* standards. They should be used to assist individuals in determining fair use; not in setting limitations. All media professionals in Wisconsin's elementary and secondary schools received copies of these minimal guidelines with the fall *Newsletter* from the Bureau of School Library Media Programs.

The most difficult area of interpretation is in the fair use copying of audiovisual materials, especially off-air television recording. No minimal guidelines have as yet been developed.

There should be no problem with instructional radio and instructional television programs on the State Educational Television and Radio Networks. The "Parade of Programs" produced by the State Educational Communications Board (ECB) and available in every district provides taping rights. Questions on taping rights for evening programs on the state ETV network should be addressed to the ECB, 732 North Midvale Boulevard, Madison, 53705.

Attempts to determine fair use guidelines for off-air taping of commercial television programs were not successful. Districts may wish to establish their own policies for such taping in accordance with Section 107 as they interpret it until court action or formal minimal guidelines provides direction. This is by far the greatest problem area of the law as it affects educators.

Section 1086, Reproduction by Libraries and Archives, does provide for several mandated procedures that affect schools. I encourage careful reading of this section as it can be helpful in meeting many copying requests. Especially helpful is the Report from the Committee on the Judiciary No. 94-1476.

Clause (1) of subsection (f) specifically exempts a library or archives or their employees from liability for the *unsupervised* use of reproducing equipment located on their

premises, provided that the reproducing equipment displays a notice that the making of a copy may be subject to the copyright law. The following statements may be used and should be placed on all equipment (copy camera stands, videotape machines, audio duplicators, copy machines, etc.) if it is available for unsupervised use:

NOTICE TO USERS OF THIS EQUIPMENT

The making of a copy of any copyrighted work on this machine may be subject to the United States Copyright Law (Title 17) PL 94-553. For further information, please consult with the instructional media staff.

OR (from American Library Association)

Notice: The copyright law of the United States (Title 17 US Code) governs the making of photocopies of copyrighted material. The person using this equipment is liable for any infringement.

Whichever notice you choose, it is recommended that it be placed on or near the equipment and be large enough in type size to be easily visible and readable. Even office equipment should bear this notice.

Interlibrary loans of photocopies are not eliminated but certain requirements are to be implemented.

Briefly, these are a few of the areas of the new copyright law. There have been articles and audiovisual materials produced recently that should provide additional information. Several that you may wish to review include:

Copyright and educational media: a guide to fair use and permission procedures. Association for Educational Communications and Technology (AECT) and the Association of Media Producers (AMP), 1126 Sixteenth Street, N.W., Washington, D.C. 20036. $2.95 member price; $3.95, nonmember price.

Copyright: new law, new directions (sound filmstrip). AECT, $18.95, member price; $22.95, nonmember price.

Educational awareness: the copyright law. Bureau of School Library Media Programs, Wisconsin Department of Public Instruction, 126 Langdon Street, Madison, 53702, 1977 (½ hour video tape on ¾" video cassette).

The new copyright law: questions teachers and librarians ask. American Library Association, 50 East Huron Street, Chicago, 60611, 1977. $2.

Title 17—Copyright. Public Law 94-553. 90 STAT. 2541. Available from your congressman.

Washington newsletter. American Library Association, 110 Maryland Avenue N.E., Suite 101, Washington, D.C. 20002, volume 28, number 13, November 15, 1976.

Should you have any questions or wish further information, please feel free to contact me at the Department of Public Instruction, 126 Langdon Street, Madison 53702.

Index to *Bureau Memorandum,* Volume 19
1977-1978

The Index has been perforated so it can be removed and filed separately if desired.

Alertment to Wisconsin's Special Education Personnel:
Kenneth R. Blessing, Ph.D. ..... Number 2

BCC Staff Member Celebrates 40 Years at DHC ..... Number 1

Book Review - *I Have A Sister - My Sister Is Deaf*
Reviewed by Dagny Bergstrom ..... Number 3

Can Teacher Training Programs Develop Competencies Needed to Work with Handicapped Adolescents?
Susan Gruber ..... Number 1

Chapter PI 11 - Rules Implementing Subchapter IV of Chapter 115, Wis. Stats ..... Number 2

Continuing Progress Report No. 3 on Subchapter IV of Chapter 115 Implementation
Kenneth R. Blessing, Ph.D. ..... Number 4
Prevalence of EEN Children: Statewide Progress
Kenneth R. Blessing, Ph.D. ..... Number 4

Wisconsin's Child Find Activities
John Stadtmueller ..... Number 4
Long-Range Planning
Victor J. Contrucci ..... Number 4

Council on Exceptional Education ..... Number 4

DHC Administrator Leaves Division ..... Number 1

DHC Site Review - Viewpoint from a Local Educational Agency
George P. Longo and Kenneth S. Hobbs ..... Number 4

Defining "LD" for Programmatic Purposes
Donald D. Hammill ..... Number 1

Design for Progress ..... Number 1

Developing and Organizing a Secondary Learning Disabilities Program
Barbara Gierhahn and Christine Krueger ..... Number 1

Dividends on Safety
Charles Wertschnig ..... Number 1

Do You Know? Learning Disabilities
LD Statistics ..... Number 1
Location of LD Programs ..... Number 1
LD Certification Requirements ..... Number 1
Publications ..... Number 1
Bibliography ..... Number 1

Do You Know? Emotionally Disturbed
Rules and Regulations ..... Number 3
Checklists for Goals and Objectives ..... Number 3
Organizations, etc ..... Number 3
Videotapes, etc ..... Number 3
Bibliography ..... Number 3
Teacher Training Programs ..... Number 3

EEN Programming - Fringe Benefits to Regular Education
Arthur J. Baranowski ..... Number 2

Federal Programs - Child Find in CESA 3
C.A. Popke ..... Number 3

Federal Programs-Impact
It's Really Only a Formula
John H. Stadtmueller ..... Number 1
The Light at the End of the Tunnel
John Stadtmueller ..... Number 3
Nondiscrimination - Section 504
John H. Stadtmueller ..... Number 2
Statewide Comprehensive Preservice and Inservice Training Program
John H. Stadtmueller ..... Number 4

Federal Programs - Personnel Preparation in Special Education, 1978-79, under PL 91-230, Title VI-D
Dick Trotta ..... Number 3

Federal Programs - Statewide Child Identification Project
Nancy Byfield ..... Number 3

Have You Examined? ..... Number 2

Helping Teachers Understand the Needs of Learning Disabled Children
James C. Chalfant and Georgiana E. Foster ..... Number 1

The Importance of the Regular Classroom Teacher to the Mainstreamed Student
Thomas E. McDonnell, Ph.D ..... Number 3

An Individualized Training Plan Approach to Inservice
Charles W. Norman ..... Number 2

Inservice Involvement
Virginia Tutje ..... Number 2

Inservice - Myth or Hope
Judith Podoll ..... Number 2

The Inservice Program at CESA 6
Marilyn Veneziano and Susan Treb ..... Number 2

Inservice Training/Outreach Activities for Personnel Serving Handicapped Children
Dick Trotta ..... Number 2

Is Your Handicap Permanent?
Charles Jones ..... Number 2

Legal Opinion on Providing Special Education Programs
Bronson C. LaFollette ..... Number 3

Legal Opinion Regarding 504 Regulations
Mary Brooks Fraser ..... Number 4

Legal Opinion Regarding Section 115.86 (6) (a) (b): Limitations on CHCEB Authority to Contract Services
Mary Brooks Fraser ..... Number 2

The Legislator's Role in Handicapped Education
Richard A. Flintrop ..... Number 4

Mainstreaming at Crestwood Elementary School
Mary Lee Peters ..... Number 2

Neenah's Joint School District Program for Severely Emotionally Disturbed (Autistic) Children
David G. Brotski and John Dobbins ..... Number 3

The New Copyright Law: Problems and Procedures for Libraries/Media Centers
Ralph Whiting ..... Number 4

Order of the Department of Public Instruction Adopting Rules
Barbara Thompson, Ph.D ..... Number 2

Parents Need Inservicing, Too
Mary Knauf ..... Number 2

Profile
Paul Lauritzen ..... Number 2
Jack Meyer ..... Number 3
Alverna Robinson ..... Number 4

Profile on Organizations
Wisconsin Association for Children with Learning Disabilities
Jerry Aschenbrener ..... Number 1
Wisconsin Division for Children with Learning Disabilities
Polly Neess ..... Number 1

Programming for Autistic Children in Milwaukee
Ronald D. Carter, Ph.D ..... Number 3

Questions Frequently Asked in Relation to the Least Restrictive Alternative Placement: A Legal Opinion
Mary Brooks Fraser ..... Number 2

The Role of Peers in Modifying Classmates' Social Behavior: A Review
Phillip S. Strain, Ph.D., Thomas P. Cooke, Ph.D., and Tony Apolloni, Ph.D ..... Number 3

Secondary Learning Disabilities Programs - Perspective from Teachers and Administrators
Administrative Perspective-Special Education Administrator
Dee Tull ..... Number 1
Cues and Strategies-Reading That Makes Sense
Peg Sherry ..... Number 1
Initial Perspectives of a Secondary Learning Disabilities Teacher
Bonnie Schoephoerster Smith ..... Number 1
Middle School Learning Disabilities Assessment-Using Locally Available Resources to Facilitate Assessment and Programming
Margot Buch, Jane Belmore, and Joan McCarthy ..... Number 1
Secondary Learning Disabilities - Cues to Program Development
Al Marco ..... Number 1
Secondary Learning Disabilities - Curriculum Development Model for the Integration of Academic and Behavioral Changes
Linda Dawson, Dona Mathews, and Peggy McLeod ..... Number 1
Secondary Learning Disabilities - Perspective from a Regular Education Administrator
Carolyn Taylor ..... Number 1
Team Teaching as a Method to Promote Mainstreaming
Joy Fitzgerald-Lometti ..... Number 1

Some Initial Considerations in Planning and Evaluating Inservice Education Programs
Will Ashmore ..... Number 2

The Special Education Director's Role in Inservice Training Programs
Henry Donatelli ..... Number 2

Staff Changes Within the DHC ..... Number 2

Suffer the Little Children
Horace K. Tenney, III, M.D. ..... Number 2

Ten Commandments of 115, 142, and 504
Wilbur Kalinke ..... Number 1

Tips on the DHC Site Review Process
Kenneth S. Hobbs ..... Number 4

Toward Coordination and Cooperation with Community Mental Health and Social Service Agencies
Jack Schroeder ..... Number 3

Transporting Handicapped Children
C. Ernest Cooney ..... Number 1

Two Special Education Teachers Retire ..... Number 2

What's a Teacher To Do-The Selection of Appropriate Instructional Materials
Jean K. Elder, Janice Jipson-Greenstein, and Mary L. Pellow ..... Number 1

6400-3J82513-78

DIVISION FOR HANDICAPPED CHILDREN

Victor J. Contrucci, Administrator

Program Audit Unit
James Despins, Program Auditor
Signe Frank, Socio-Education Specialist
Richard Trotta, Program Auditor

BUREAU FOR EXCEPTIONAL CHILDREN

Kenneth R. Blessing, Ph.D., Director
Stephanie Petska, Educational Services Assistant

Developmental, Behavioral and Learning Impaired Section

Thomas Stockton, Section Chief
Bettie Halverson, Administrative Assistant

Jerome Bohren, Program Supervisor, Mentally Retarded
Ann Kellogg, Program Supervisor, Emotionally Disturbed
Beverly Kochan, Program Supervisor, Emotionally Disturbed
Kenneth McMahon, Program Supervisor, Mentally Retarded
Juanita Pawlisch, Program Supervisor, Special Learning Disabilities
Alverna Robinson, Program Supervisor, Mentally Retarded
Harold Schmidt, Program Supervisor, Special Learning Disabilities

Federal Support Programs Section

John Stadtmueller, Section Chief
Linda Pauly, Educational Services Assistant

Elizabeth Agajanian, Administrative Assistant, Deaf-Blind Project
Nancy Byfield, Field Coordinator, Child Find
John Cook, Ph.D., Research and Evaluation Specialist
William Ernst, Ph.D., Comprehensive Training Specialist
Phyllis Hawthorne, Educational Services Assistant
Gary Holloway, Data Coordinator, Child Find
Julia House, Administrative Assistant, Child Find
Jim McCoy, Educational Services Assistant, Early Childhood-Handicapped Project
Lynn Mertely, Educational Services Assistant, Early Childhood-Handicapped Project
Patricia McMahan, Publications Editor

Physical, Sensory, and Language Impaired Section

Betty Rowe, Section Chief
Kathy Cahill, Administrative Assistant

William Berkan, Handicapped Children's Specialist
John Melcher, Program Supervisor, Early Childhood-Handicapped
Samuel D. Milesky, Program Supervisor, Deaf and Hard of Hearing
Andrew Papineau, Program Supervisor, Visually Handicapped
Irwin Probstein, Program Supervisor, School-Age Mother
Kathleen Rueber, Social Worker
Vernon Smith, Program Supervisor, Speech and Language
Betty Ross-Thomson, Education Specialist

Residential Programs Section

Gary Blackmer, Coordinator, Rehabilitation Center, Wisconsin School for the Deaf, Delavan
Kenneth Brassel, Principal, Wisconsin School for the Deaf, Delavan
Robert Okray, Principal, Wisconsin School for the Visually Handicapped, Janesville
William English, Superintendent, Wisconsin School for the Visually Handicapped, Janesville
John Shipman, Superintendent, Wisconsin School for the Deaf, Delavan

BUREAU FOR CRIPPLED CHILDREN

Horace K. Tenney III, M.D., Medical Director
John Murphy, Administrative Coordinator

Elie Asleson, Medical Social Worker
LaVerne Baker, Nursing Specialist
Joan Biek, Nursing Specialist
Louis Block, Administrative Assistant
C. Ernest Cooney, Prevention Specialist
Sara Critser, Nursing Specialist
Harold Donahue, Administrative Assistant, Records and Information
Effie Guethlein, Nursing Specialist
Caryl Hatfield, Nursing Specialist
Jane Hatleberg, Nursing Specialist Assistant
Carolyn Hefty, Nursing Specialist
Marjorie Jothen, Coordinator, Nursing Specialist
Lois Latsch, Physical Therapy Specialist
Gertrude Leveille, Nursing Specialist
Jeanne Schlafer, Nursing Specialist, Northwest Area
Jeanne Schultz, Physical Therapy Specialist-Scoliosis
Gerard Simono, Medical Information Specialist
Susan Smith, Social Work Specialist
Laura Taff, Nursing Specialist, Cystic Fibrosis
Raymond Wahlton, Clinical Audiologist
Orvin Walsvik, Clinical Audiologist
Clark Wright-Edwards, Clinical Audiologist

BULK RATE
U.S. POSTAGE
PAID
MADISON, WIS.
PERMIT NO. 1369

MRS. MARLENE HURST
XEROX UNIVERSITY MICROFILMS
300 N. ZEEB ROAD
ANN ARBOR, MI 48106